

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 106

(Delegate Busch, *et al.*)

Environment and Transportation

Judicial Proceedings

Emergency Vehicles - Organ Delivery Vehicles

This bill authorizes the Motor Vehicle Administration (MVA) to designate an “organ delivery vehicle” as an emergency vehicle if it meets specified vehicle registration and operator certification requirements. The driver of an emergency vehicle registered in any state may exercise specified privileges set forth in the Transportation Article while transporting on an emergency basis (1) a human organ for transplantation or (2) emergency medical personnel for performing organ recovery or transplantation. An organ delivery vehicle must be equipped with or display red, white, or red and white lights or signal devices. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: The bill’s requirements can be handled with existing budgeted resources. Revenues are not materially affected.

Local Effect: The bill’s requirements can be handled with existing budgeted resources. Revenues are not materially affected.

Small Business Effect: None.

Analysis

Bill Summary: “Organ delivery vehicle” means a vehicle that is used or maintained to transport organs on an emergency basis. MVA may designate an organ delivery vehicle as an emergency vehicle only if it is registered to a federally designated organ procurement organization or a professional organ transportation organization. Under the bill, a person may not operate an organ delivery vehicle as an emergency vehicle unless certified to

operate emergency vehicles through completion of an emergency vehicle operator course approved by the Maryland Fire and Rescue Institute.

Current Law: “Emergency vehicle” means any vehicle designated by MVA as entitled to the exemptions and privileges set forth in the Maryland Vehicle Law for emergency vehicles. The driver of an emergency vehicle registered in any state may exercise specified privileges while (1) responding to an emergency call; (2) pursuing a violator or suspected violator of the law; or (3) responding to, but not while returning from, a fire alarm.

Emergency Vehicle Driver Privileges

A driver must be specifically authorized under Maryland Vehicle Law to operate an emergency vehicle. MVA must adopt regulations that establish mandatory training and testing requirements that a political subdivision that operates a fire department, rescue squad, emergency medical services unit, or volunteer fire department must implement before the political subdivision may authorize an individual to operate an emergency vehicle.

Subject to specified conditions, the driver of an emergency vehicle may:

- park or stand without regard to the other provisions of Title 21 of the Transportation Article;
- pass a red or stop signal, a stop sign, or a yield sign (but only after slowing down as necessary for safety);
- exceed any maximum speed limit (but only so long as the driver does not endanger life or property);
- disregard any traffic control device or regulation governing direction of movement or turning in a specified direction; and
- travel through any local jurisdiction in the State, as necessary, to perform and return from motorcade or escort duty.

Emergency Vehicle Driver Duties

A driver of an emergency vehicle generally must use specified audible and visual signals when exercising the privileges granted to emergency vehicles. The privileges afforded to a driver of an emergency vehicle do not relieve the driver from the duty to drive with due regard for the safety of all persons.

Signal and Light Devices

A person may not drive or move, on any highway, any vehicle or equipment that is equipped with or displays any light or signal device designed to emit an oscillating, rotating, blinking, or other type of emission of light, unless authorized under State law. Generally, flashing lights are authorized for emergency vehicles, service vehicles, school vehicles, and other specified vehicles. A violation of this provision is a misdemeanor subject to a maximum fine of \$500. The prepayment penalty assessed by the District Court is \$60.

Additional Information

Prior Introductions: HB 662 of 2016, a similar bill, received a hearing in the House Environment and Transportation Committee, but no further action was taken.

Cross File: SB 475 (Senator Middleton, *et al.*) - Judicial Proceedings.

Information Source(s): Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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