

SENATE BILL 392

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2001 Regular Session  
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By: **Senators Mooney and Munson**  
Introduced and read first time: February 2, 2001  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Emergency Vehicles - Use of Flashing Lights While Parking and Backing**

3 FOR the purpose of authorizing the driver of an emergency vehicle to use flashing  
4 lights within a certain distance of the entrance ramp to a fire or rescue station  
5 while parking or backing the vehicle; prohibiting the driver of a vehicle from  
6 passing an emergency vehicle within a certain distance of an entrance ramp to a  
7 fire or rescue station when the driver of the emergency vehicle is parking or  
8 backing the vehicle; making technical corrections; and generally relating to the  
9 use of flashing lights while parking or backing emergency vehicles.

10 BY repealing and reenacting, with amendments,  
11 Article - Transportation  
12 Section 21-106, 21-1109, and 22-218(c) and (e)  
13 Annotated Code of Maryland  
14 (1999 Replacement Volume and 2000 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Transportation**

18 21-106.

19 (a) Subject to the conditions stated in this section, the driver of an emergency  
20 vehicle registered in any state may exercise the privileges set forth in this section  
21 while:

- 22 (1) Responding to an emergency call;
- 23 (2) Pursuing a violator or suspected violator of the law; or
- 24 (3) Responding to, but not while returning from, a fire alarm.

25 (b) Under the circumstances stated in subsection (a) of this section, the driver  
26 of an emergency vehicle may:

1 (1) Park or stand without regard to the other provisions of this title;

2 (2) Pass a red or stop signal, a stop sign, or a yield sign, but only after  
3 slowing down as necessary for safety;

4 (3) Exceed any maximum speed limit, but only so long as the driver does  
5 not endanger life or property; and

6 (4) Disregard any traffic control device or regulation governing direction  
7 of movement or turning in a specified direction.

8 (c) (1) Subject to paragraph (2) of this subsection, the privileges set forth in  
9 this section apply only while the emergency vehicle is using audible and visual signals  
10 that meet the requirements of § 22-218 of this article, except that an emergency  
11 vehicle operated as a police vehicle need not be equipped with or display the visual  
12 signals.

13 (2) The privileges set forth in subsection (b)(1) of this section apply only  
14 while the emergency vehicle is using visual signals that meet the requirements of §  
15 22-218 of this article.

16 (3) (I) The driver of an emergency vehicle may not use flashing lights  
17 or a bell, siren, or exhaust whistle while returning from an emergency call or fire  
18 alarm, except that fire apparatus carrying standing firemen may use flashing lights  
19 that are visible only to the rear.

20 (II) THE DRIVER OF AN EMERGENCY VEHICLE, WHILE PARKING OR  
21 BACKING THE EMERGENCY VEHICLE, MAY USE FLASHING LIGHTS WITHIN 100 FEET  
22 OF THE ENTRANCE RAMP TO A:

23 1. FIRE STATION; OR

24 2. RESCUE STATION.

25 (d) This section does not relieve the driver of an emergency vehicle from the  
26 duty to drive with due regard for the safety of all persons.

27 21-1109.

28 (A) Unless he is on official business, the driver of a vehicle may not:

29 (1) Follow within 500 feet of any fire apparatus traveling in response to  
30 a fire alarm; or

31 (2) Drive or park within 300 feet of any fire apparatus stopped in  
32 response to a fire alarm.

33 (B) THE DRIVER OF A VEHICLE MAY NOT PASS AN EMERGENCY VEHICLE  
34 WITHIN 100 FEET OF AN ENTRANCE RAMP OF A FIRE OR RESCUE STATION WHEN THE  
35 EMERGENCY VEHICLE IS IN THE PROCESS OF PARKING OR BACKING.

1 22-218.

2 (c) (1) A person may not drive or move on any highway any vehicle or  
3 equipment that is equipped with or displays any light or signal device designed to  
4 emit an oscillating, rotating, blinking, or other type of emission of light, unless  
5 designated and authorized by the Administrator as indicated in paragraphs [(1)] (2)  
6 through [(9)] (10) of this subsection. The provisions of this section do not prohibit the  
7 display and use of any lighting device that may be permitted or required elsewhere in  
8 the Maryland Vehicle Law.

9 [(1)] (2) Vehicles of the police department and other city, county, State,  
10 or federal law enforcement agencies may be equipped with and display red, white, or  
11 blue lights or signal devices.

12 [(2)] (3) (i) Vehicles of city, county, State, or federal fire departments  
13 or duly constituted volunteer fire departments or rescue squads, or the Maryland  
14 Institute for Emergency Medical Services System, may be equipped with or display  
15 red and/or white lights or signal devices.

16 (ii) In each volunteer fire company, no more than five of the  
17 following officers may have their privately owned vehicles equipped with red lights or  
18 signal devices which may be displayed only while on route to or at the scene of an  
19 emergency:

20 1. The fire chief or the highest ranking fireline officer;

21 2. One or more of the assistant chiefs or deputy chiefs,  
22 whichever rank is second in command; and

23 3. The emergency medical services commander.

24 (iii) 1. The fire police of each volunteer fire company may have their  
25 privately owned vehicles equipped with red lights or signal devices designed to emit  
26 an oscillating, rotating, blinking, or other type of emission of light.

27 2. The lights or signal devices may be flashed or oscillated or  
28 otherwise used only while the vehicle is at the scene of an accident, flood, or other  
29 emergency to which the volunteer fire company is responding.

30 [(3)] (4) Ambulances may be equipped with or display red and/or white  
31 lights or signal devices.

32 [(4)] (5) State vehicles used in response to oil or hazardous materials  
33 spills may be equipped with or display red and/or white lights or signal devices.

34 [(5)] (6) Service vehicles, rural letter carrier vehicles, slow moving farm  
35 vehicles, and tow trucks may be equipped with or display yellow or amber lights or  
36 signal devices.

1 [(6)] (7) State vehicles designated for emergency use by the  
2 Commissioner of Correction may be equipped with or display red lights or signal  
3 devices.

4 [(7)] (8) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF  
5 THIS PARAGRAPH, THE blue, red, or white lights or signal devices may be flashed or  
6 oscillated or otherwise used only while on route to or at the scene of an emergency,  
7 and their use does not relieve an emergency vehicle from otherwise giving an audible  
8 warning as required elsewhere in the Maryland Vehicle Law.

9 (II) THE DRIVER OF AN EMERGENCY VEHICLE MAY USE FLASHING  
10 LIGHTS WITHIN 100 FEET OF THE ENTRANCE RAMP OF A FIRE OR RESCUE STATION  
11 WHILE PARKING OR BACKING THE EMERGENCY VEHICLE.

12 [(8)] (9) The yellow or amber lights or signal devices permitted on  
13 vehicles under paragraph [ (5)] (6) of this subsection may be flashed or oscillated or  
14 otherwise used only in the course of official duties, to indicate to the public that the  
15 vehicle is a slow moving vehicle or otherwise is impeding traffic.

16 [(9)] (10) (i) An emergency vehicle of any foreign state may be  
17 equipped with any lights or signals:

- 18 1. As provided by this subsection; or
- 19 2. As permitted by the state in which the vehicle is  
20 registered.

21 (ii) 1. The use of any lights or signals permitted under this  
22 paragraph is limited to an emergency vehicle, as defined in § 11-118 of this article,  
23 responding to an emergency or pursuing a violator, and equipped with an audible  
24 signal as provided in this section.

25 2. Foreign vehicles, as defined in § 11-124 of this article,  
26 which are privately owned by members of volunteer fire companies, ambulance or  
27 rescue squads, fire departments, and law enforcement agencies may be equipped with  
28 lights or signals as permitted by the state in which the vehicle is registered, but such  
29 lights or signals may be used while the vehicle is in this State only by those personnel  
30 and under the circumstances authorized under [subsection (c)(2)] PARAGRAPH (3) of  
31 this [section] SUBSECTION.

32 [(10)] (11) In addition to the penalties provided in Title 27 of this article,  
33 any person convicted of a violation of this section may have his driving privileges  
34 suspended for a period of 30 days, and the registration of the vehicle may be  
35 suspended for a period of 30 days, notwithstanding that the owner of the vehicle may  
36 not be the operator at the time of the offense, unless the owner proves to the  
37 satisfaction of the Administration that he had no control over the use or display of a  
38 light or signal device and could not prevent the violation of this section.

1 (e) Except as provided in subsection [(c)(2)] (C)(3) of this section, the flashing  
2 lighting described in subsections (b) and (c) of this section may not be used on any  
3 vehicle other than an emergency vehicle, service vehicle, or school vehicle.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2001.