

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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Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 8, 2001

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CHAPTER \_\_\_\_\_

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;

1 (2) Pursuing a violator or suspected violator of the law; or

2 (3) Responding to, but not while returning from, a fire alarm.

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

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

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

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

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

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

17 (2) The privileges set forth in subsection (b)(1) of this section apply only  
18 while the emergency vehicle is using visual signals that meet the requirements of §  
19 22-218 of this article.

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

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

27 1. FIRE STATION; OR

28 2. RESCUE STATION.

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

31 21-1109.

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

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

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

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

6 22-218.

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

14 [(1)] (2) Vehicles of the police department and other city, county, State,  
15 or federal law enforcement agencies may be equipped with and display red, white, or  
16 blue lights or signal devices.

17 [(2)] (3) (i) Vehicles of city, county, State, or federal fire departments  
18 or duly constituted volunteer fire departments or rescue squads, or the Maryland  
19 Institute for Emergency Medical Services System, may be equipped with or display  
20 red and/or white lights or signal devices.

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

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

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

28 3. The emergency medical services commander.

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

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

35 [(3)] (4) Ambulances may be equipped with or display red and/or white  
36 lights or signal devices.

1            [(4)]    (5)    State vehicles used in response to oil or hazardous materials  
2 spills may be equipped with or display red and/or white lights or signal devices.

3            [(5)]    (6)    Service vehicles, rural letter carrier vehicles, slow moving farm  
4 vehicles, and tow trucks may be equipped with or display yellow or amber lights or  
5 signal devices.

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

9            [(7)]    (8)    (I)    [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF  
10 THIS PARAGRAPH, THE blue, red, or white lights or signal devices may be flashed or  
11 oscillated or otherwise used only while on route to or at the scene of an emergency,  
12 and their use does not relieve an emergency vehicle from otherwise giving an audible  
13 warning as required elsewhere in the Maryland Vehicle Law.

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

17            [(8)]    (9)    The yellow or amber lights or signal devices permitted on  
18 vehicles under paragraph [ (5)] (6) of this subsection may be flashed or oscillated or  
19 otherwise used only in the course of official duties, to indicate to the public that the  
20 vehicle is a slow moving vehicle or otherwise is impeding traffic.

21            [(9)]    (10)    (i)    An emergency vehicle of any foreign state may be  
22 equipped with any lights or signals:

23                            1.    As provided by this subsection; or

24                            2.    As permitted by the state in which the vehicle is  
25 registered.

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

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

37            [(10)]    (11)    In addition to the penalties provided in Title 27 of this article,  
38 any person convicted of a violation of this section may have his driving privileges  
39 suspended for a period of 30 days, and the registration of the vehicle may be

1 suspended for a period of 30 days, notwithstanding that the owner of the vehicle may  
2 not be the operator at the time of the offense, unless the owner proves to the  
3 satisfaction of the Administration that he had no control over the use or display of a  
4 light or signal device and could not prevent the violation of this section.

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

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