

# HOUSE BILL 622

R5  
HB 1263/08 – ENV

9lr1708

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By: **Delegates Bates, Boteler, Eckardt, Krebs, McComas, Miller, Sophocleus, Sossi, Weldon, and Wood**

Introduced and read first time: February 6, 2009

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Vehicle Laws – Emergency and Police Vehicle and Personnel Protection Act**

3 FOR the purpose of requiring drivers approaching emergency or police vehicles  
4 stopped, standing, or parked on a highway and using any visual signals, except  
5 when otherwise directed by a police officer, to vacate the lane closest to the  
6 emergency or police vehicle under certain circumstances and to slow to a speed  
7 that is sufficient to ensure the safety of police officers or emergency services  
8 personnel in the vicinity of the emergency or police vehicle under certain  
9 circumstances; establishing a certain penalty for a violation of this Act; and  
10 generally relating to requiring drivers to take certain actions when approaching  
11 emergency or police vehicles on a highway.

12 BY repealing and reenacting, with amendments,  
13 Article – Transportation  
14 Section 21–405  
15 Annotated Code of Maryland  
16 (2006 Replacement Volume and 2008 Supplement)

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

### 19 **Article – Transportation**

20 21–405.

21 (a) On the immediate approach of an emergency vehicle using audible and  
22 visual signals that meet the requirements of § 22–218 of this article or of a police  
23 vehicle lawfully using an audible signal, the driver of every other vehicle, unless  
24 otherwise directed by a police officer, shall yield the right-of-way.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) On the immediate approach of an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or of a police vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, shall drive immediately to a position parallel to and as close as possible to the edge or curb of the roadway, clear of any intersection.

(c) On the immediate approach of an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or of a police vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, shall stop and stay in this position until the emergency vehicle has passed.

(d) A driver, when proceeding in the same direction as an emergency or police vehicle, may not pass an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or a police vehicle lawfully using an audible signal unless:

(1) The emergency vehicle has stopped; or

(2) Otherwise directed by a police officer.

(e) **(1) EXCEPT AS OTHERWISE DIRECTED BY A POLICE OFFICER, WHEN AN EMERGENCY OR POLICE VEHICLE USING ANY VISUAL SIGNAL IS STOPPED, STANDING, OR PARKED ON A HIGHWAY, THE DRIVER OF A VEHICLE APPROACHING THE EMERGENCY OR POLICE VEHICLE FROM THE REAR, AS SOON AS IT IS SAFE, SHALL:**

**(I) IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH TWO OR MORE LANES OF TRAFFIC MOVING IN THE DIRECTION THAT THE EMERGENCY OR POLICE VEHICLE IS FACING, VACATE THE LANE CLOSEST TO THE EMERGENCY OR POLICE VEHICLE; OR**

**(II) IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH ONLY ONE LANE OF TRAFFIC MOVING IN THE DIRECTION THAT THE EMERGENCY OR POLICE VEHICLE IS FACING AND THE POSTED SPEED LIMIT IS 35 MILES PER HOUR OR GREATER, SLOW TO A SPEED THAT IS SUFFICIENT TO ENSURE THE SAFETY OF POLICE OFFICERS OR EMERGENCY SERVICES PERSONNEL IN THE VICINITY OF THE EMERGENCY OR POLICE VEHICLE.**

**(2) A PERSON WHO IS CONVICTED OF A VIOLATION OF THIS SUBSECTION IS SUBJECT TO A FINE OF \$75.**

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

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2009.