

HOUSE BILL 499

R5

(0lr2064)

ENROLLED BILL

— Environmental Matters/Judicial Proceedings —

Introduced by ~~Delegate Malone~~ Delegates Malone, Bates, Conaway, Anderson, and Norman

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Approaching Emergency Vehicles and Personnel**

3 FOR the purpose of requiring drivers approaching an emergency vehicle that is
4 stopped, standing, or parked on a highway and using any visual signals, unless
5 otherwise directed by a police officer or traffic control device, to ~~vacate the lane~~
6 ~~closest~~ make a lane change into an available lane not immediately adjacent to
7 the emergency vehicle under certain circumstances or to slow to a reasonable
8 and prudent speed that ~~ensures the safety of the emergency services personnel~~
9 is safe for certain existing conditions under certain circumstances; and generally
10 relating to the rules of the road when approaching emergency vehicles and
11 personnel.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Section 21-405
 2 Annotated Code of Maryland
 3 (2009 Replacement Volume and 2009 Supplement)

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

6 **Article – Transportation**

7 21-405.

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

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

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

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

26 (1) The emergency vehicle has stopped; or

27 (2) Otherwise directed by a police officer.

28 (e) **UNLESS OTHERWISE DIRECTED BY A POLICE OFFICER OR A TRAFFIC**
 29 **CONTROL DEVICE, WHEN AN EMERGENCY VEHICLE USING ANY VISUAL SIGNAL**
 30 **THAT MEETS THE REQUIREMENTS OF § 22-218 OF THIS ARTICLE IS STOPPED,**
 31 **STANDING, OR PARKED ON A HIGHWAY, THE DRIVER OF A MOTOR VEHICLE**
 32 **APPROACHING THE EMERGENCY VEHICLE FROM THE REAR SHALL:**

33 **(1) ~~ON A HIGHWAY THAT IS DIVIDED INTO TWO OR MORE~~**
 34 **~~CLEARLY MARKED LANES FOR VEHICULAR TRAFFIC MOVING IN THE SAME~~**
 35 **~~DIRECTION, VACATE THE LANE CLOSEST TO THE EMERGENCY VEHICLE~~ *IF***

1 PRACTICABLE AND NOT OTHERWISE PROHIBITED, MAKE A LANE CHANGE INTO
2 AN AVAILABLE LANE NOT IMMEDIATELY ADJACENT TO THE EMERGENCY VEHICLE
3 WITH DUE REGARD FOR SAFETY AND TRAFFIC CONDITIONS; OR

4 (2) IF THE DRIVER OF THE MOTOR VEHICLE IS UNABLE TO
5 ~~VACATE THE LANE CLOSEST TO THE EMERGENCY VEHICLE, OR ON A HIGHWAY~~
6 ~~THAT HAS ONLY ONE LANE OF TRAVEL MOVING TOWARD THE EMERGENCY~~
7 ~~VEHICLE, REDUCE THE SPEED OF THE MOTOR VEHICLE TO A REASONABLE AND~~
8 ~~PRUDENT SPEED THAT ENSURES THE SAFETY OF THE EMERGENCY SERVICES~~
9 ~~PERSONNEL~~ MAKE A LANE CHANGE IN ACCORDANCE WITH ITEM (1) OF THIS
10 SUBSECTION, SLOW TO A REASONABLE AND PRUDENT SPEED THAT IS SAFE FOR
11 EXISTING WEATHER, ROAD, AND VEHICULAR OR PEDESTRIAN TRAFFIC
12 CONDITIONS.

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.