

Chapter 541

(House Bill 499)

AN ACT concerning

Motor Vehicles – Approaching Emergency Vehicles and Personnel

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

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–405

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

Article – Transportation

21–405.

(a) 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 yield the right-of-way.

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

~~(1) ON A HIGHWAY THAT IS DIVIDED INTO TWO OR MORE CLEARLY MARKED LANES FOR VEHICULAR TRAFFIC MOVING IN THE SAME DIRECTION, VACATE THE LANE CLOSEST TO THE EMERGENCY VEHICLE IF PRACTICABLE AND NOT OTHERWISE PROHIBITED, MAKE A LANE CHANGE INTO AN AVAILABLE LANE NOT IMMEDIATELY ADJACENT TO THE EMERGENCY VEHICLE WITH DUE REGARD FOR SAFETY AND TRAFFIC CONDITIONS; OR~~

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

(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.

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

Approved by the Governor, May 20, 2010.