

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 225, Page 19, Section 304.005, Line 13,
2 by inserting after all of said section and lines the following:

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4 "304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal
5 by siren or while having at least one lighted lamp exhibiting red light visible under normal
6 atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing
7 blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-
8 way and shall immediately drive to a position parallel to, and as far as possible to the right of, the
9 traveled portion of the highway and thereupon stop and remain in such position until such
10 emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

11 2. Upon approaching a stationary ~~[emergency]~~ vehicle displaying lighted red or red and blue
12 lights, or a stationary vehicle ~~[owned by the state highways and transportation commission and~~
13 ~~operated by an authorized employee of the department of transportation or a stationary vehicle~~
14 ~~owned by a contractor or subcontractor performing work for the department of transportation]~~
15 displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:

16 (1) Proceed with caution and yield the right-of-way, if possible with due regard to safety
17 and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary
18 vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the
19 same direction as the approaching vehicle; or

20 (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed
21 for road conditions, if changing lanes would be unsafe or impossible.

22 3. The motorman of every streetcar shall immediately stop such car clear of any intersection
23 and keep it in such position until the emergency vehicle has passed, except as otherwise directed by
24 a police or traffic officer.

25 4. An "emergency vehicle" is a vehicle of any of the following types:

26 (1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri
27 capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement
28 personnel of the state highways and transportation commission, police or fire department, sheriff,
29 constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to
30 make arrests for violations of the laws of the United States, traffic officer or coroner or by a
31 privately owned emergency vehicle company;

32 (2) A vehicle operated as an ambulance or operated commercially for the purpose of
33 transporting emergency medical supplies or organs;

34 (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

35 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public
36 service corporation while performing emergency service;

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(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550; or

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor."; and

Further amend said bill, Page 30, Section 304.190, Line 85, by inserting after all of said section and line the following:

"307.175. 1. Motor vehicles and equipment which are operated by any member of an organized fire department, ambulance association, or rescue squad, whether paid or volunteer, may be operated on streets and highways in this state as an emergency vehicle under the provisions of section 304.022 while responding to a fire call or ambulance call or at the scene of a fire call or ambulance call and while using or sounding a warning siren and using or displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used only in bona fide emergencies.

2. ~~Motor vehicles and equipment owned by the state highways and transportation commission or contractor or subcontractor performing work for the department of transportation~~

may use or display thereon fixed, flashing, or rotating amber or white lights, but amber or white lights shall be used only while such vehicle is stationary in a work zone, as defined in section 304.580, when highway workers, as defined in section 304.580, are present.] (1) Notwithstanding subsection 1 of this section, the following vehicles may use or display fixed, flashing, or rotating red or red and blue lights:

(a) Emergency vehicles, as defined in section 304.022, when responding to an emergency;

(b) Vehicles operated as described in subsection 1 of this section;

(c) Vehicles owned by a contractor or subcontractor performing work for the department of transportation, except that the red or red and blue lights shall be displayed on vehicles described in this paragraph only between dusk and dawn, when such vehicles are stationary, such vehicles are located in a work zone as defined in section 304.580, highway workers as defined in section 304.580 are present, and such work zone is designated by a sign or signs.

(2) The following vehicles may use or display fixed, flashing, or rotating amber or amber and white lights:

(a) Vehicles owned or leased by the state highways and transportation commission and operated by an authorized employee of the department of transportation;

(b) Vehicles owned by a contractor or subcontractor performing work for the department of transportation, except that the amber or amber and white lights shall be displayed on vehicles described in this paragraph only when such vehicles are stationary;

(c) Vehicles operated by a utility worker, as defined in section 565.081, performing work for the utility, except that the amber or amber and white lights shall be displayed on vehicles described in this paragraph only when such vehicles are stationary.

3. Permits for the operation of such vehicles equipped with sirens or blue lights shall be in writing and shall be issued and may be revoked by the chief of an organized fire department, organized ambulance association, rescue squad, or the state highways and transportation commission and no person shall use or display a siren or blue lights on a motor vehicle, fire, ambulance, or rescue equipment without a valid permit authorizing the use. A permit to use a siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with complying with all other traffic laws and regulations. Violation of this section constitutes a class A misdemeanor."; and

Further amend said bill, Page 30, Section 407.816, Line 7, by inserting after all of said section and line the following:

"Section B. Because of the need to protect lives on our roads and highways, sections 304.022 and 307.175 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 304.022 and 307.175 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.