

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 2, Page 27, Section 139.053, Line 25, by
2 inserting after all of said section and line the following:

3
4 ~~"[304.022. 1. Upon the immediate approach of an emergency vehicle~~
5 ~~giving audible signal by siren or while having at least one lighted lamp exhibiting~~
6 ~~red light visible under normal atmospheric conditions from a distance of five~~
7 ~~hundred feet to the front of such vehicle or a flashing blue light authorized by~~
8 ~~section 307.175, the driver of every other vehicle shall yield the right of way and~~
9 ~~shall immediately drive to a position parallel to, and as far as possible to the right~~
10 ~~of, the traveled portion of the highway and thereupon stop and remain in such~~
11 ~~position until such emergency vehicle has passed, except when otherwise directed~~
12 ~~by a police or traffic officer.~~

13 2. ~~Upon approaching a stationary vehicle displaying lighted red or red and~~
14 ~~blue lights, or a stationary vehicle displaying lighted amber or amber and white~~
15 ~~lights, the driver of every motor vehicle shall:~~

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

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

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

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

28 (1) ~~A vehicle operated by the state highway patrol, the state water patrol,~~
29 ~~the Missouri capitol police, a conservation agent, or a state or a county or~~
30 ~~municipal park ranger, those vehicles operated by enforcement personnel of the~~
31 ~~state highways and transportation commission, police or fire department, sheriff,~~
32 ~~constable or deputy sheriff, federal law enforcement officer authorized to carry~~
33 ~~firearms and to make arrests for violations of the laws of the United States, traffic~~
34 ~~officer, coroner, medical examiner, or forensic investigator of the county medical~~
35 ~~examiner's office, or by a privately owned emergency vehicle company;~~

Action Taken _____ Date _____

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

3 ~~(3) Any vehicle qualifying as an emergency vehicle pursuant to section~~
4 ~~307.175;~~

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

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

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

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

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

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

24 ~~(10) Any vehicle owned and operated by the civil support team of the~~
25 ~~Missouri National Guard while in response to or during operations involving~~
26 ~~chemical, biological, or radioactive materials or in support of official requests~~
27 ~~from the state of Missouri involving unknown substances, hazardous materials, or~~
28 ~~as may be requested by the appropriate state agency acting on behalf of the~~
29 ~~governor.~~

30 ~~5. (1) The driver of any vehicle referred to in subsection 4 of this section~~
31 ~~shall not sound the siren thereon or have the front red lights or blue lights on~~
32 ~~except when such vehicle is responding to an emergency call or when in pursuit of~~
33 ~~an actual or suspected law violator, or when responding to, but not upon returning~~
34 ~~from, a fire.~~

35 ~~(2) The driver of an emergency vehicle may:~~

36 ~~(a) Park or stand irrespective of the provisions of sections 304.014 to~~
37 ~~304.025;~~

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

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

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

44 ~~(3) The exemptions granted to an emergency vehicle pursuant to~~
45 ~~subdivision (2) of this subsection shall apply only when the driver of any such~~
46 ~~vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as~~
47 ~~may be reasonably necessary, and when the vehicle is equipped with at least one~~
48 ~~lighted lamp displaying a red light or blue light visible under normal atmospheric~~
49 ~~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.]~~

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

2. Upon approaching a stationary vehicle displaying lighted red or red and blue lights, or a stationary vehicle displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:

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

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

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

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

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state, county, or municipal park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer, coroner, medical examiner, or forensic investigator of the county medical examiner's office, or by a privately owned emergency vehicle company;

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

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

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

(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;

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

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

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

11 (10) Any vehicle owned and operated by the civil support team of the Missouri National
12 Guard while in response to or during operations involving chemical, biological, or radioactive
13 materials or in support of official requests from the state of Missouri involving unknown substances,
14 hazardous materials, or as may be requested by the appropriate state agency acting on behalf of the
15 governor.

16 5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound
17 the siren thereon or have the front red lights or blue lights on except when such vehicle is
18 responding to an emergency call or when in pursuit of an actual or suspected law violator, or when
19 responding to, but not upon returning from, a fire.

20 (2) The driver of an emergency vehicle may:

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

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

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

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

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

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

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

37
38 Further amend said bill by amending the title, enacting clause, and intersectional references
39 accordingly.