



House of Representatives

File No. 636

General Assembly

February Session, 2000

(Reprint of File Nos. 80 and 615)

Substitute House Bill No. 5720
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 19, 2000

An Act Concerning Failure To Yield To Emergency Vehicles.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-283 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) "Emergency vehicle", as used in this section, means any
4 ambulance or emergency medical service organization vehicle
5 responding to an emergency call, any vehicle used by a fire
6 department or by any officer of a fire department while on the way to
7 a fire or while responding to an emergency call but not while returning
8 from a fire or emergency call, or any state or local police vehicle
9 operated by a police officer answering an emergency call or in the
10 pursuit of fleeing law violators.

11 (b) The operator of any emergency vehicle may (1) park or stand
12 such vehicle, irrespective of the provisions of this chapter, (2) proceed
13 past any red light or stop signal or stop sign, but only after slowing
14 down or stopping to the extent necessary for the safe operation of such
15 vehicle, (3) exceed the posted speed limits or other speed limits

16 imposed by or pursuant to section 14-218a or 14-219 as long as [he]
17 such operator does not endanger life or property by so doing, and (4)
18 disregard statutes, ordinances or regulations governing direction of
19 movement or turning in specific directions.

20 (c) The exemptions herein granted shall apply only when an
21 emergency vehicle is making use of an audible warning signal device,
22 including but not limited to a siren, whistle or bell which meets the
23 requirements of subsection (f) of section 14-80, and visible flashing or
24 revolving lights which meet the requirements of sections 14-96p, as
25 amended, and 14-96q, as amended, and to any state or local police
26 vehicle properly and lawfully making use of an audible warning signal
27 device only.

28 (d) The provisions of this section shall not relieve the operator of an
29 emergency vehicle from the duty to drive with due regard for the
30 safety of all persons and property.

31 (e) Upon the immediate approach of an emergency vehicle making
32 use of such an audible warning signal device and such visible flashing
33 or revolving lights or of any state or local police vehicle properly and
34 lawfully making use of an audible warning signal device only, the
35 operator of every other vehicle in the immediate vicinity shall
36 immediately drive to a position parallel to, and as close as possible to,
37 the right-hand edge or curb of the roadway clear of any intersection
38 and shall stop and remain in such position until the emergency vehicle
39 has passed, except when otherwise directed by a state or local police
40 officer or fireman as provided in section 7-313a.

41 (f) Any officer of a fire department may remove, or cause to be
42 removed, any vehicle upon any public or private way which obstructs
43 or retards any fire department, or any officer thereof, in controlling or
44 extinguishing any fire.

45 (g) Any person who wilfully or negligently obstructs or retards any
46 ambulance or emergency medical service organization vehicle while
47 answering any emergency call or taking a patient to a hospital, or any

48 vehicle used by a fire department or any officer or member of a fire
49 department while on the way to a fire, or while responding to an
50 emergency call, or any vehicle used by the state police or any local
51 police department, or any officer of the Division of State Police within
52 the Department of Public Safety or any local police department while
53 on the way to an emergency call or in the pursuit of fleeing law
54 violators, shall be fined [not more than fifty] two hundred dollars or
55 imprisoned not more than seven days or both.

56 (h) Nothing in this section shall be construed as permitting the use
57 of a siren upon any motor vehicle other than an emergency vehicle, as
58 defined in subsection (a) of this section, or a rescue service vehicle
59 which is registered with the Department of Motor Vehicles pursuant to
60 section 19a-181.

61 (i) Upon receipt of a written report from the operator of any
62 emergency vehicle specifying the license plate number, color and type
63 of any vehicle observed violating any provision of subsection (e) of this
64 section, and the date, approximate time and location of such violation,
65 a police officer may issue a written warning or a summons to the
66 owner of any such vehicle.

67 Sec. 2. The Superior Court shall impose an additional fee equivalent
68 to one hundred per cent of the fine established or imposed for the
69 violation of the provisions of section 14-218a or 14-219 of the general
70 statutes, for any such violation committed while within sight of the
71 scene of an emergency, where such scene is designated by the presence
72 of one or more police, fire, ambulance or other emergency vehicles
73 displaying flashing lights.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Minimal Revenue Gain, Potential Minimal Cost

Affected Agencies: Various Criminal Justice Agencies

Municipal Impact: Potential Minimal Cost

Explanation

State and Municipal Impact:

The bill could result in a revenue gain for the state of about \$500 to \$2000 as a result of increasing the current fine from \$50 to \$200 relating to willfully obstructing an emergency medical service vehicle. There are currently 15-20 violations per year under current law.

The bill could also result in a revenue gain for the state by doubling the fine for various speeding violations when it occurs within sight of an emergency scene. The total revenue collected in 1999 for various speeding violations, according to Judicial Department reports, was \$21,764,094. The percent that was collected by violators within sight of emergency scenes is unknown. This could result in additional workloads within the court system. By doubling the fine, a greater number of people may decide to contest their tickets. The extent to which this may occur is unknown.

In addition, the bill allows police officers to issue warnings or summons to drivers reported by emergency vehicle operators for certain obstructions of emergency vehicle passage. This provision

could result in a minimal revenue gain and additional workloads for state and local law enforcement and criminal justice agencies. The number of additional warnings or summons is unknown but is anticipated to be minimal.

House Amendment "A" added the provision that fines for various speeding violations while in sight of an emergency scene could be doubled.

OLR Amended Bill Analysis

sHB 5720 (as amended by House "A")*

AN ACT CONCERNING FAILURE TO YIELD TO EMERGENCY VEHICLES.**SUMMARY:**

This bill increases to \$200, from a \$50 maximum, the fine for willfully or negligently obstructing or impeding an emergency vehicle responding to an emergency. It allows the police to issue a written warning or summons to a vehicle owner when they get a written report of a violation from an emergency vehicle operator. The report must indicate the vehicle's license plate number, color, or type and the date, approximate time, and place where the violation occurred.

The bill applies to ambulance or emergency medical service organization vehicles responding to emergency calls or taking a patient to a hospital; fire department vehicles responding to a fire or emergency; or police vehicles responding to an emergency or pursuing fleeing suspects.

The bill also requires the court to assess an additional fee for speed-related offenses occurring within sight of a clearly designated emergency scene.

*House Amendment "A" adds the fine surcharge for speeding through an emergency scene.

EFFECTIVE DATE: October 1, 2000

SPEEDING IN AN EMERGENCY ZONE

The act requires the Superior Court to assess an additional fee equal to the base fine assessed for speeding or traveling unreasonably fast while in sight of an emergency scene with one or more police, fire, ambulance, or other emergency vehicle displaying flashing lights. Fines for speed-related violations range from \$35 to \$150, depending on the speed and other circumstances. Like virtually all other motor

vehicle violations, they are by law subject to a surcharge for the Special Transportation Fund, an assessment for police training, and other special fees and charges that make the actual amount violators must pay higher than the fine. Violations occurring in marked construction, utility work, or school zones are already subject to a 100% additional assessment on the base fine.

BACKGROUND

Related Bills

sSB 98 (File 253), which the Transportation Committee reported favorably, classifies vehicles driven by Department of Motor Vehicles inspectors answering emergency calls or pursuing motor vehicle law violators as emergency vehicles.

sSb 544 (File 424), which the Transportation Committee reported favorably, reduces the amount someone must pay for driving between 71 and 84 miles per hour (mph) on a limited access highway posted with a 65 mph speed limit.

Legislative History

On March 21, the House referred this bill to the Judiciary Committee. The committee changed the bill to allow, rather than require, the police to issue a warning or summons to violators.

COMMITTEE ACTION

Public Safety Committee

Joint Favorable Substitute
Yea 14 Nay 0

Judiciary Committee

Joint Favorable Substitute
Yea 27 Nay 0

