



# House of Representatives

General Assembly

**File No. 436**

*January Session, 2001*

Substitute House Bill No. 5062

*House of Representatives, April 24, 2001*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***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1 Section 14-283 of the general statutes is repealed and the following  
2 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 or inspector of the Department of Motor  
10 Vehicles answering an emergency call or in the pursuit of fleeing law  
11 violators.

12 (b) The operator of any emergency vehicle may (1) park or stand

13 such vehicle, irrespective of the provisions of this chapter, (2) proceed  
14 past any red light or stop signal or stop sign, but only after slowing  
15 down or stopping to the extent necessary for the safe operation of such  
16 vehicle, (3) exceed the posted speed limits or other speed limits  
17 imposed by or pursuant to section 14-218a or 14-219 as long as [he]  
18 such operator does not endanger life or property by so doing, and (4)  
19 disregard statutes, ordinances or regulations governing direction of  
20 movement or turning in specific directions.

21 (c) The exemptions herein granted shall apply only when an  
22 emergency vehicle is making use of an audible warning signal device,  
23 including but not limited to a siren, whistle or bell which meets the  
24 requirements of subsection (f) of section 14-80, and visible flashing or  
25 revolving lights which meet the requirements of sections 14-96p and  
26 14-96q, and to any state or local police vehicle properly and lawfully  
27 making use of an audible warning signal 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] a fire police officer 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) A police officer may issue a written warning or a summons to the  
62 owner of a vehicle based upon an affidavit signed by the operator of  
63 an emergency vehicle specifying (1) the license plate number, color  
64 and type of any vehicle observed violating any provision of subsection  
65 (e) or (g) of this section, and (2) the date, approximate time and  
66 location of such violation.

**PS**            *Joint Favorable C/R*

JUD

**JUD**            *Joint Favorable Subst.*

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:

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**OFA Fiscal Note**

**State Impact:** Minimal Revenue Gain, Potential Minimal Cost

**Affected Agencies:** Department of Public Safety, Judicial Department, Criminal Justice Agencies

**Municipal Impact:** Potential Minimal Cost

**Explanation**

**State and Municipal Impact:**

The bill results in a revenue gain of less than \$2,000 as a result of increasing the current fine for willfully obstructing an emergency medical service vehicle from \$50 to \$200. There were 22 violations in calendar year 2000. 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 workload for state and local law enforcement and criminal justice agencies. The number of additional warnings or summons is anticipated to be minimal.

**OLR Bill Analysis**

sHB 5062

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

**SUMMARY:**

This bill increases, from \$50 to \$200, the maximum fine for willfully or negligently obstructing or impeding an emergency vehicle responding to an emergency. (The possible prison term, which the bill does not change, is a maximum of seven days.) The bill allows a police officer to issue a written warning or summons to a vehicle owner when he gets a signed affidavit about a violation from an emergency vehicle operator. The report must state the vehicle's license plate number, color, and 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; and police vehicles responding to an emergency or pursuing fleeing suspects.

EFFECTIVE DATE: October 1, 2001

**COMMITTEE ACTION**

Public Safety Committee

Joint Favorable Change of Reference  
Yea 21 Nay 0

Judiciary Committee

Joint Favorable Substitute  
Yea 39 Nay 0

