



House of Representatives

File No. 844

General Assembly

January Session, 2001

(Reprint of File No. 436)

Substitute House Bill No. 5062
As Amended by House Amendment
Schedules "A" and "B"

Approved by the Legislative Commissioner
May 31, 2001

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 Section 14-283 of the general statutes is repealed and the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 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 as provided in section 7-313a] a firefighter.

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.

67 Sec. 2. Subsection (a) of section 14-279 of the general statutes is
68 repealed and the following is substituted in lieu thereof:

69 (a) The operator of any vehicle, [or] motor vehicle, or authorized
70 emergency vehicle, as defined in subdivision (4) of section 14-1, shall
71 immediately bring [his] such vehicle to a stop not less than ten feet
72 from the front when approaching and not less than ten feet from the
73 rear when overtaking or following any registered school bus on any
74 highway or private road or in any parking area or on any school
75 property when such bus is displaying flashing red signal lights, except
76 at the specific direction of a traffic officer. Vehicles so stopped for a
77 school bus shall not proceed until such bus no longer displays flashing
78 red signal lights. At the intersection of two or more highways

79 vehicular turns toward a school bus receiving or discharging
80 passengers are prohibited. The operator of a vehicle upon a highway
81 with separate roadways need not stop upon meeting or passing a
82 school bus which is on a different roadway.

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: 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.

The bill also specifies that authorized emergency vehicles must also stop when approaching a school bus that is displaying flashing red lights. This has no fiscal impact.

House Amendment "A" adds the provision requiring emergency vehicles to stop for a school bus and has no fiscal impact.

House Amendment "B" makes a technical change to the original bill and has no fiscal impact.

OLR Amended Bill Analysis

sHB 5062 (as amended by House "A" and "B")*

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 provision 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.

The bill also expressly requires emergency vehicles to stop at least 10 feet from a school bus displaying flashing red signal lights and to remain until the lights are turned off. The provision applies to fire department, and police vehicles, public service company or municipal department ambulances, or emergency vehicles designated or authorized by the motor vehicles commissioner.

*House Amendment "A" adds the stop requirement for emergency vehicles.

*House Amendment "B" restores current law's requirement allowing a firefighter to direct traffic at an emergency scene. The original file replaced fire fighter with fire police officer.

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