

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1507, L.D. 2087, Bill, "An Act to Enforce Reasonable Use of Sirens on Emergency Vehicles"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act to Authorize Discretion in the Use of Sirens on Ambulance Vehicles'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 29 MRSA §946, as amended by PL 1989, c. 32, §1, is further amended to read:

§946. Right-of-way; police, fire and corrections vehicles

Police, fire department, and forest fire control vehicles and ~~ambulance vehicles~~, when operated in response to calls, or when a police officer is in pursuit of a motor vehicle operator for which the police officer has probable cause to believe that the operator has committed or is in the process of committing a violation of law, and vehicles of the Department of Corrections making use of a blue light and a siren shall have the right-of-way. On the approach of any such vehicle, from any direction, and when such vehicle is sounding a siren and emitting a flashing light, the driver of every other vehicle shall immediately draw that driver's vehicle as near as practicable to the right-hand curb and parallel thereto, clear of any intersection, and bring it to a standstill until ~~such public service vehicles have the~~ police, fire or corrections vehicle has passed.

Sec. 2. 29 MRSA §946-A, sub-§3, as amended by PL 1987, c. 644, §5, is repealed and the following enacted in its place:

2 3. Flashing lights. The privileges granted in this section
3 to an authorized emergency vehicle apply only when that vehicle
4 is making use of the flashing emergency lights authorized in
5 section 1367-B as follows:

6 A. Blue lights on police vehicles or vehicles of the
7 Department of Corrections; or

8 B. Red lights on ambulances, fire department vehicles or
9 forest fire control vehicles.

10 Sec. 3. 29 MRSA §946-A, sub-§3-A is enacted to read:

11 3-A. Audible signals. The privileges granted in this
12 section to an authorized emergency vehicle apply only when that
13 vehicle is equipped with a bell or siren as authorized by section
14 1362 and when that vehicle is making use of the bell or siren in
15 accordance with section 946 or 946-B, as appropriate.

16 Sec. 4. 29 MRSA §946-B is enacted to read:

17 §946-B. Right-of-way; ambulances

18 1. Authorized emergency vehicle. This section applies to
19 ambulances that are authorized emergency vehicles under section
20 1, subsection 1-B, and that are responding to, but not returning
21 from an emergency call.

22 2. Right-of-way. Any ambulance has the right-of-way over
23 other vehicles. On the approach of an ambulance, from any
24 direction, when that ambulance is emitting signals in accordance
25 with subsections 3 and 4, the driver of every other vehicle shall
26 immediately draw that vehicle as near as practicable to the
27 right-hand curb and parallel to the curb, clear of any
28 intersection, and bring the vehicle to a standstill until the
29 ambulance has passed.

30 3. Flashing light. The operator of an ambulance shall
31 operate a flashing emergency light when attempting to gain the
32 right-of-way and when exercising the privileges of section 946-A.

33 4. Siren. The operator of an ambulance shall operate a
34 siren when attempting to gain the right-of-way or when
35 exercising the privileges of section 946-A, unless the operator
36 determines that use of the siren would be ineffective or
37 unnecessary as an alerting device.

38 Sec. 5. Review. The Bureau of State Police and the Office of
39 the State Fire Marshall in the Department of Public Safety, the
40 Division of Forest Fire Control in the Department of
41 Conservation, the Office of Emergency Medical Services in the

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2 Department of Human Services, and the Department of Corrections
shall review the laws governing right-of-way and special
4 privileges for emergency vehicles and report their findings and
recommendations to the First Regular Session of the 115th
6 Legislature, by January 1, 1991. The Department of Public Safety
shall provide the chair of the review group and provide clerical
8 assistance as needed. The review group shall consult with other
interested groups that operate emergency vehicles included in the
10 Maine Revised Statutes, Title 29, section 1, subsection 1-B, or
sections 946, 946-A or 946-B. That review must consider how best
12 to meet the need for emergency response while protecting the
safety of other members of the public, the appropriate privileges
14 to be extended to emergency vehicles, the audible and visible
signals to be used to gain those privileges, which vehicles are
16 to be included among the privileged group and the need for driver
training prior to the exercise of emergency vehicle privileges.

18 **FISCAL NOTE**

20 Enactment of this bill requires a departmental review of
certain privileges for emergency vehicles. All costs associated
22 with the proposed reporting requirement, specified clerical
assistance and other miscellaneous expenses would be absorbed by
24 the Department of Public Safety utilizing existing resources.
Also, this bill stipulates that the legislative review group
26 members will not be compensated for their services.'

28 **STATEMENT OF FACT**

30 This amendment carries out the purpose of the bill to allow
32 drivers of emergency vehicles discretion in the use of sirens
while retaining the right-of-way and other special privileges as
34 long as they are using their flashing lights, but it limits this
concept to ambulances. The amendment also requires a
36 departmental review, led by the Department of Public Safety, of
special privileges for emergency vehicles.

Reported by the Committee on Transportation.
Reproduced and distributed under the direction of the Clerk of the
House.
2/27/90 (Filing No. H-837)