

HOUSE BILL NO. 1316

Introduced by

Representatives Severson, Devlin, Froseth, Porter, Uglen

Senator Krebsbach

1 A BILL for an Act to amend and reenact section 39-10-03 of the North Dakota Century Code,
2 relating to emergency vehicles.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 39-10-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-10-03. Class A authorized emergency vehicles.**

- 7 1. The driver of a class A authorized emergency vehicle may:
- 8 a. Park or stand, irrespective of the provisions of this chapter.
- 9 b. Proceed past a red or stop signal or stop sign, but only after slowing down as
10 may be necessary for safe operation.
- 11 c. Exceed the speed limit so long as the driver does not endanger life or
12 property.
- 13 d. Disregard regulations governing direction of movement or turning in specified
14 directions.
- 15 2. The exceptions herein granted to a class A authorized emergency vehicle apply
16 only:
- 17 a. When the authorized emergency vehicle is in pursuit of or apprehension of a
18 violator or a suspected violator requiring the use of these exemptions.
- 19 b. When the class A authorized emergency vehicle is being operated in
20 response to a reported emergency involving a possible personal injury, death,
21 or damage to property, and when giving audible signal by siren or airhorn as
22 appropriate and when giving adequate warning by use of a flashing red or
23 combination red and white lights which are visible under normal atmospheric
24 conditions for at least five hundred feet [152.4 meters].

- 1 c. In any instance when the head of a law enforcement agency deems advisable
2 within the area of that person's jurisdiction for the protection of person and
3 property and when giving audible signal by siren or when giving adequate
4 warning by use of a flashing red or combination red and white lights which are
5 visible under normal atmospheric conditions for at least five hundred feet
6 [152.4 meters].
- 7 3. No emergency vehicle may display or permit to be displayed any red lamp except
8 when operated on official business.
- 9 4. Repealed by S.L. 1979, ch. 424, § 2.
- 10 5. Any law enforcement officer as provided in paragraph 2 of subdivision a of
11 subsection 2 of section 39-01-01 having stopped another vehicle along a highway,
12 and while still involved in that incident, or any other such activity, may use amber
13 lights, visible under normal atmospheric conditions for at least five hundred feet
14 [152.4 meters], for the purpose of maintaining traffic flow.