

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1316

Introduced by

Representatives Severson, Devlin, Froseth, Porter, Uglem

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 when~~
- 22 ~~giving~~ adequate warning by use of a flashing red or combination red and
- 23 white lights ~~which that~~ are visible under normal atmospheric conditions for at

- 1 least five hundred feet [152.4 meters] and if appropriate, giving audible signal
2 by siren or airhorn.
- 3 c. In any instance when the head of a law enforcement agency deems advisable
4 within the area of that person's jurisdiction for the protection of person and
5 property and when giving audible signal by siren or when giving adequate
6 warning by use of a flashing red or combination red and white lights which are
7 visible under normal atmospheric conditions for at least five hundred feet
8 [152.4 meters].
- 9 3. No emergency vehicle may display or permit to be displayed any red lamp except
10 when operated on official business.
- 11 4. Repealed by S.L. 1979, ch. 424, § 2.
- 12 5. Any law enforcement officer as provided in paragraph 2 of subdivision a of
13 subsection 2 of section 39-01-01 having stopped another vehicle along a highway,
14 and while still involved in that incident, or any other such activity, may use amber
15 lights, visible under normal atmospheric conditions for at least five hundred feet
16 [152.4 meters], for the purpose of maintaining traffic flow.