

Sixtieth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1310

Introduced by

Representatives Gruchalla, Porter, Ruby, Solberg, Weisz

Senator Lyson

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

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 adequate warning by use of a
22 flashing red or combination red and white lights that are visible under normal
23 atmospheric conditions for at least five hundred feet [152.4 meters] and if
24 appropriate, giving audible signal by siren or airhorn. A law enforcement

1 vehicle that is otherwise a class A authorized emergency vehicle may display
2 a flashing blue light in addition to and under the same conditions as the other
3 colors allowed in this subdivision.

4 c. In any instance when the head of a law enforcement agency deems advisable
5 within the area of that person's jurisdiction for the protection of person and
6 property and when giving audible signal by siren or when giving adequate
7 warning by use of a flashing red or combination red and white lights which are
8 visible under normal atmospheric conditions for at least five hundred feet
9 [152.4 meters]. A law enforcement vehicle that is otherwise a class A
10 authorized emergency vehicle may display a flashing blue light in addition to
11 and under the same conditions as the other colors allowed in this subdivision.

12 3. ~~No~~ An emergency vehicle may not display or permit to be displayed any red lamp
13 except when operated on official business.

14 4. ~~Repealed by S.L. 1979, ch. 424, § 2.~~

15 5. Any law enforcement officer as provided in paragraph 2 of subdivision a of
16 subsection 2 of section 39-01-01 having stopped another vehicle along a highway,
17 and while still involved in that incident, or any other ~~such~~ related activity, may use
18 amber lights, visible under normal atmospheric conditions for at least five hundred
19 feet [152.4 meters], for the purpose of maintaining traffic flow.