

Fifty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED 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 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.