

Fifty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2252

Introduced by

Senators Klein, Lyson

Representatives Lundgren, Severson, Weisz

1 A BILL for an Act to amend and reenact subsection 2 of section 39-01-01 and section
2 39-10-03.2 of the North Dakota Century Code, relating to authorized emergency vehicles.

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

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 39-01-01 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 2. Authorized emergency vehicles:

7 a. Class A authorized emergency vehicles means:

8 (1) Vehicles of a governmentally owned fire department.

9 (2) Vehicles when operated by or under the control of a police officer
10 having authority to enforce the provisions of this title or by a salaried
11 employee of a municipal police department within the municipality or by
12 a sheriff or deputy sheriff not including special deputy sheriffs, or by the
13 director of the department of corrections and rehabilitation and the
14 director's authorized agents who have successfully completed training
15 in the operation of class A authorized emergency vehicles.

16 (3) Vehicles clearly identifiable as property of the department of corrections
17 and rehabilitation when operated or under the control of the director of
18 the department of corrections and rehabilitation.

19 (4) ~~Ambulances~~ Emergency medical services vehicles.

20 (5) Vehicles operated by or under the control of the director, district deputy
21 director, or a district deputy game warden of the game and fish
22 department.

23 (6) Vehicles owned or leased by the United States and used for law
24 enforcement purposes.

- (7) Vehicles designated for the use of the adjutant general or assistant adjutant general in cases of emergency.
- (8) Vehicles operated by or under the control of the director of the parks and recreation department.
- (9) Vehicles operated by or under the control of a licensed railroad police officer and used for law enforcement purposes.
- b. Class B authorized emergency vehicles means wreckers and such other emergency vehicles as are authorized by the local authorities.
- c. Class C authorized emergency vehicles means:
 - (1) Vehicles authorized by state and local division of emergency management organizations.
 - (2) ~~Vehicles~~ Privately owned vehicles used by volunteer firefighters and emergency medical services personnel while performing their assigned disaster and emergency responsibilities.
 - ~~(3) Vehicles, other than ambulances, used by emergency medical services personnel.~~

SECTION 2. AMENDMENT. Section 39-10-03.2 of the North Dakota Century Code is amended and reenacted as follows:

39-10-03.2. Class C authorized emergency vehicles. ~~All class B specifications apply to class C authorized emergency vehicles except that a rotating blue flashing light must be displayed in place of an amber light as provided in section 39-10-03.1. With respect to vehicles used by state and local disaster emergency services personnel, the division of emergency management is responsible for adopting rules for the use of flashing blue lights in accordance with chapter 28-32.~~

1. The operator of a class C authorized emergency vehicle may:
 - a. Park or stand, regardless of the provisions of this chapter;
 - b. Proceed past a red or stop signal or stop sign, but only after stopping and remaining stopped until safe to proceed;
 - c. Exceed the speed limit so long as the driver does not endanger life or property; and

- 1 d. Disregard regulations governing direction of movement or turning in specified
2 directions.
- 3 2. Subsection 1 applies only when:
- 4 a. The authorized emergency vehicle is displaying a blue rotating flashing light
5 or blue strobe light; and
- 6 b. It is necessary for the operator to operate the class C emergency vehicle
7 under the conditions listed in subsection 1 for the immediate protection of life
8 or property or in response to a reported emergency or disaster involving
9 possible personal injury, death, or damage to property.