

ASSEMBLY, No. 1214

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen AUGUSTINE and BAGGER

1 AN ACT concerning the operation of authorized emergency vehicles
2 and supplementing chapter 4 of Title 39 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. As used in this act, "emergency operation" means the operation,
8 or parking, of an authorized emergency vehicle, when such vehicle is
9 engaged in transporting a sick or injured person, transporting prisoners
10 under emergent conditions, pursuing an actual or suspected violator of
11 the law or responding to, or working or assisting at the scene of an
12 accident, disaster, police call, alarm or fire, actual or potential release
13 of hazardous materials or other emergency. Emergency operation
14 shall not include returning from such service.

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16 2. a. The driver of an authorized emergency vehicle, when
17 involved in an emergency operation, may:

18 (1) Stop, stand or park irrespective of the provisions of this Title;

19 (2) Proceed past a steady red signal, a flashing red signal or a stop
20 sign, but only after slowing down as may be necessary for safe
21 operation;

22 (3) Exceed the maximum speed limits so long as he does not
23 recklessly endanger life or property;

24 (4) Disregard laws or ordinances governing directions of
25 movements or turning in specified directions.

26 b. Except for an authorized emergency vehicle operated as a police
27 vehicle, the exemption herein granted to an authorized emergency
28 vehicle shall apply only when audible signals are sounded from that
29 vehicle while in motion by bell, horn, siren, electronic device or
30 exhaust whistle as may be reasonably necessary, and when the vehicle
31 is equipped with at least one lighted lamp so that in any direction,
32 under normal atmospheric conditions from a distance of 500 feet from
33 such vehicle, at least one red light is displayed and visible.

34 c. Any authorized emergency vehicle operated as a police vehicle
35 may exceed the maximum speed limits for the purpose of calibrating

1 the vehicle speedometer.

2 d. The provisions of this section shall not relieve the driver of an
3 authorized emergency vehicle from any duty to drive with due regard
4 for the safety of all persons, nor shall such provisions protect the
5 driver from the consequences of his reckless disregard for the safety
6 of others.

7 e. Notwithstanding any other law, rule or regulation to the
8 contrary, an ambulance operated in the course of an emergency shall
9 not be prohibited from using any highway; provided, however, that an
10 authority or municipality having jurisdiction over any such highway
11 may specifically prohibit travel thereon by ambulances if such authority
12 shall deem such travel to be extremely hazardous and would endanger
13 patients thereby transported.

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15 3. This act shall take effect immediately.

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18 STATEMENT

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20 This bill grants certain privileges to the driver of an authorized
21 emergency vehicle when that vehicle is being operated in response to
22 an emergency. An "authorized emergency vehicle" is defined in
23 R.S.39:1-1. Emergency operation is defined in the bill as the
24 operation, or parking, of an authorized emergency vehicle, when such
25 vehicle is engaged in transporting a sick or injured person,
26 transporting prisoners under emergent conditions, pursuing an actual or
27 suspected violator of the law or responding to, or working or assisting
28 at the scene of an accident, disaster, police call, alarm or fire, actual
29 or potential release of hazardous materials or other emergency.
30 Emergency operation does not include returning from such service.

31 Under the provisions of the bill, the driver of an authorized
32 emergency vehicle, when involved in an emergency operation, is
33 permitted to (1) stop, stand or park irrespective of the provisions of
34 Title 39; (2) proceed past a steady red signal, a flashing red signal or
35 a stop sign, but only after slowing down as may be necessary for safe
36 operation; (3) exceed the maximum speed limits so long as he does not
37 recklessly endanger life or property; and (4) disregard laws or
38 ordinances governing directions of movements or turning in specified
39 directions.

40 In order to exercise the privileges granted under the bill, the
41 authorized emergency vehicle, with the exception of a police vehicle,
42 must be sounding audible signals while in motion in the form of a bell,
43 horn, siren, electronic device or exhaust whistle and the vehicle must
44 be equipped with at least one red light visible from any direction at a
45 distance of 500 feet. The exception for police vehicles recognizes that
46 there may be occasions when the police do not want to announce their

1 approach.

2 The bill does not relieve the driver of an authorized emergency
3 vehicle from the duty to drive with due regard for the safety of others,
4 nor does it protect the driver from the consequences of reckless
5 disregard for the safety of others.

6 The bill also provides that an ambulance operated in the course of
7 an emergency would not be prohibited from using any highway. An
8 authority or municipality having jurisdiction over any such highway,
9 however, may specifically prohibit its use by ambulances if it deems
10 such travel hazardous and if it would endanger patients being
11 transported.

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16 Grants certain privileges to drivers of authorized emergency vehicles.