

HOUSE BILL NO. 158

INTRODUCED BY K. PETERSON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CERTAIN PHYSICIANS TO USE AN EMERGENCY RED
5 LIGHT WHEN RESPONDING TO MEDICAL EMERGENCIES; DEFINING "EMERGENCY RED LIGHT";
6 PROVIDING PRIVILEGES AND CONDITIONS FOR A PERSON USING AN EMERGENCY RED LIGHT; AND
7 AMENDING SECTIONS 61-8-107 AND 61-9-227, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 61-8-107, MCA, is amended to read:
12 **"61-8-107. Police vehicles and authorized emergency vehicles.** (1) The driver of a police vehicle or,
13 authorized emergency vehicle, or vehicle displaying an emergency red light pursuant to 61-9-227, when
14 responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when
15 responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but
16 subject to the conditions in this section.

17 (2) The driver of a police vehicle or, authorized emergency vehicle, or vehicle displaying an emergency
18 red light may:

- 19 (a) park or stand, irrespective of the provisions of this chapter;
20 (b) proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for
21 safe operation;
22 (c) exceed the speed limits as long as the driver does not endanger life or property;
23 (d) disregard regulations governing direction of movement or turning in specified directions.

24 (3) The exemptions granted to a police vehicle or, authorized emergency vehicle, or vehicle displaying
25 an emergency red light apply only when the vehicle is making use of an audible or visual signal, or both, meeting
26 the requirements of 61-9-227 or 61-9-402.

27 (4) The provisions of this section do not relieve the driver of a police vehicle or, authorized emergency
28 vehicle, or vehicle displaying an emergency red light from the duty to drive with due regard for the safety of all
29 persons, and the provisions do not protect the driver from the consequences of the driver's reckless disregard
30 for the safety of others."

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Section 2. Section 61-9-227, MCA, is amended to read:

"61-9-227. ~~Blinker-type or revolving~~ Emergency red light on certain private vehicles -- use -- identification card -- definition. (1) Firefighters, when authorized by the chiefs of their respective departments, and search and rescue and volunteer emergency medical personnel, when authorized by the county sheriff, may use a ~~blinker-type or revolving red light or both~~ an emergency red light on the front or the top of their ~~privately owned~~ motor vehicles. ~~This~~ The emergency red light must may be used on emergency duty only while responding to but not upon returning from a fire or other emergency.

(2) A physician who responds to medical emergencies may, when authorized by the hospital administration of the hospital in which the physician has the privilege to practice medicine, use an emergency red light on the front or top of the motor vehicle. The hospital administration shall notify the county sheriff when a physician is so authorized. The emergency red light may be used on emergency duty only while responding to but not while returning from a medical emergency.

(2)(3) A firefighter or, search and rescue or volunteer emergency medical personnel, or a physician displaying the emergency red light on a ~~privately owned~~ motor vehicle shall also carry on the vehicle an identification card showing the name of the owner of the vehicle and the organization to which the firefighter or, search and rescue or volunteer emergency medical personnel, or physician belongs; and bearing the signature of the person authorizing ~~the emergency~~ use of the emergency red light.

(4) For the purposes of this section, "emergency red light" means a blinker-type or revolving red light, or both, used on a motor vehicle when the operator is responding to an emergency."

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