

By: Representative Howell

To: Public Health and Human Services; Transportation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1626

1 AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO
2 DEFINE CERTAIN TERMS UNDER THE EMERGENCY MEDICAL SERVICES LAW; TO
3 CREATE NEW SECTION 41-59-85, MISSISSIPPI CODE OF 1972, TO
4 PRESCRIBE CERTAIN REQUIREMENTS REGARDING THE OPERATION OF
5 AMBULANCES AND SPECIAL USE EMERGENCY MEDICAL SERVICE VEHICLES; TO
6 AMEND SECTION 63-3-103, MISSISSIPPI CODE OF 1972, TO REVISE THE
7 DEFINITION OF "AUTHORIZED EMERGENCY VEHICLE" UNDER THE LAWS
8 APPLICABLE TO TRAFFIC REGULATION; TO AMEND SECTION 63-3-621,
9 MISSISSIPPI CODE OF 1972, TO PROVIDE THE MINIMUM DISTANCES FROM
10 AMBULANCES THAT OTHER VEHICLES MUST MAINTAIN IN CERTAIN
11 SITUATIONS; TO AMEND SECTION 63-7-19, MISSISSIPPI CODE OF 1972, TO
12 SPECIFY THE COLOR OF LIGHTS WITH WHICH AMBULANCES AND 911
13 EMERGENCY COMMUNICATIONS DISTRICT VEHICLES MAY BE MARKED; AND FOR
14 RELATED PURPOSES.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

16 **SECTION 1.** Section 41-59-3, Mississippi Code of 1972, is
17 amended as follows:

18 41-59-3. As used in this chapter, unless the context
19 otherwise requires, the term:

20 (a) "Ambulance" shall mean any privately or publicly
21 owned land or air vehicle that is especially designed,
22 constructed, modified or equipped to be used, maintained and
23 operated upon the streets, highways or airways of this state to
24 assist persons who are sick, injured, wounded, or otherwise
25 incapacitated or helpless;

26 (b) "Auto-injector" means a spring-loaded needle and
27 syringe with a single dose of medicine that will automatically
28 release and inject the medicine;

29 (c) "Permit" shall mean an authorization issued for an
30 ambulance vehicle and/or a special use EMS vehicle as meeting the
31 standards adopted pursuant to this chapter;

32 (d) "License" shall mean an authorization to any
33 person, firm, corporation, or governmental division or agency to
34 provide ambulance services in the State of Mississippi;

35 (e) "Emergency medical technician" shall mean an
36 individual who possesses a valid emergency medical technician's
37 certificate issued pursuant to the provisions of this chapter;

38 (f) "Certificate" shall mean official acknowledgment
39 that an individual has successfully completed the recommended
40 basic emergency medical technician training course referred to in
41 this chapter which entitles that individual to perform the
42 functions and duties of an emergency medical technician;

43 (g) "Board" shall mean the State Board of Health;

44 (h) "Department" means the Mississippi State Department
45 of Health, Division of Emergency Medical Services;

46 (i) "Executive officer" shall mean the Executive
47 Officer of the State Board of Health, or his designated
48 representative;

49 (j) "First Responder" means a person who uses a limited
50 amount of equipment to perform the initial assessment of and
51 intervention with sick, wounded or otherwise incapacitated
52 persons, who (i) is trained to assist other EMS personnel by
53 successfully completing, within the previous two (2) years, an
54 approved "First Responder: National Standard Curriculum" training
55 program, as developed and promulgated by the United States
56 Department of Transportation, (ii) is nationally registered as a
57 First Responder by the National Registry of Emergency Medical
58 Technicians; and (iii) is certified as a First Responder by the
59 Mississippi State Department of Health, Division of Emergency
60 Medical Services;

61 (k) "Invalid vehicle" shall mean any privately or
62 publicly owned land or air vehicle which is maintained, operated
63 and used only to transport persons routinely who are convalescent

64 or otherwise nonambulatory and do not require the service of an
65 emergency medical technician while in transit;

66 (l) "Special use EMS vehicle" means any privately or
67 publicly owned land, water or air emergency vehicle used to
68 support the provision of emergency medical services. These
69 vehicles shall not be used routinely to transport patients;

70 (m) "Trauma care system" or "trauma system" means a
71 formally organized arrangement of health care resources that has
72 been designated by the department by which major trauma victims
73 are triaged, transported to and treated at trauma care facilities;

74 (n) "Trauma care facility" or "trauma center" means a
75 hospital located in the State of Mississippi or a Level I trauma
76 care facility or center located in a state contiguous to the State
77 of Mississippi that has been designated by the department to
78 perform specified trauma care services within a trauma care system
79 pursuant to standards adopted by the department. Participation in
80 this designation by each hospital is voluntary;

81 (o) "Trauma registry" means a collection of data on
82 patients who receive hospital care for certain types of injuries.
83 Such data are primarily designed to ensure quality trauma care and
84 outcomes in individual institutions and trauma systems, but have
85 the secondary purpose of providing useful data for the
86 surveillance of injury morbidity and mortality;

87 (p) "Emergency medical condition" means a medical
88 condition manifesting itself by acute symptoms of sufficient
89 severity, including severe pain, psychiatric disturbances and/or
90 symptoms of substance abuse, such that a prudent layperson who
91 possesses an average knowledge of health and medicine could
92 reasonably expect the absence of immediate medical attention to
93 result in placing the health of the individual (or, with respect
94 to a pregnant woman, the health of the woman or her unborn child)
95 in serious jeopardy, serious impairment to bodily functions, or
96 serious dysfunction of any bodily organ or part;

97 (q) "Emergency medical call" means a situation that is
98 presumptively classified at time of dispatch to have a high index
99 of probability that an emergency medical condition or other
100 situation exists that requires medical intervention as soon as
101 possible to reduce the seriousness of the situation, or when the
102 exact circumstances are unknown, but the nature of the request is
103 suggestive of a true emergency where a patient may be at risk;

104 (r) "Emergency response" means responding immediately
105 at the basic life support or advanced life support level of
106 service to an emergency medical call. An immediate response is
107 one in which the ambulance supplier begins as quickly as possible
108 to take the steps necessary to respond to the call;

109 (s) "Emergency mode" means an ambulance or special use
110 EMS vehicle operating with emergency lights and warning siren (or
111 warning siren and air horn) while engaged in an emergency medical
112 call.

113 **SECTION 2.** The following shall be codified as Section
114 41-59-85, Mississippi Code of 1972:

115 41-59-85. (1) The driver of any vehicle other than an
116 official emergency vehicle shall not follow any moving ambulance
117 that is engaged in an emergency medical call closer than five
118 hundred (500) feet, or park the vehicle within two hundred (200)
119 feet where the ambulance has stopped and a patient is either being
120 loaded or unloaded.

121 (2) Every ambulance and special use EMS vehicle shall be
122 marked with red lights front and back and also may be marked with
123 white and amber lights in addition to red lights.

124 (3) Drivers of ambulances and special use EMS vehicles shall
125 operate in the emergency mode with warning lights and siren at all
126 times while engaged in an emergency medical call and operating the
127 emergency vehicle in a manner to take exceptions to the traffic
128 laws and regulations as provided in Section 63-3-1 et seq., so as
129 to warn other drivers of nonemergency vehicles to yield the

130 right-of-way of the authorized emergency vehicle. Ambulances and
131 special use EMS vehicles may use emergency warning lights only if
132 they are engaged in an emergency medical call and they are stopped
133 or parked, or if they are moving and operating the vehicle in a
134 manner so as to abide by all traffic laws and regulations as
135 provided in Section 63-3-1 et seq. No driver of any ambulance or
136 special use EMS vehicle shall assume any special privilege from
137 traffic laws and regulations except when the emergency vehicle is
138 operated in the emergency mode, with warning lights and siren,
139 while engaged in an emergency medical call.

140 **SECTION 3.** Section 63-3-103, Mississippi Code of 1972, is
141 amended as follows:

142 63-3-103. (a) "Vehicle" means every device in, upon or by
143 which any person or property is or may be transported or drawn
144 upon a highway, except devices used exclusively upon stationary
145 rails or tracks.

146 (b) "Motor vehicle" means every vehicle which is
147 self-propelled and every vehicle which is propelled by electric
148 power obtained from overhead trolley wires, but not operated upon
149 rails. The term "motor vehicle" shall not include electric
150 personal assistive mobility devices.

151 (c) "Motorcycle" means every motor vehicle having a saddle
152 for the use of the rider and designed to travel on not more than
153 three (3) wheels in contact with the ground but excluding a
154 tractor.

155 (d) "Authorized emergency vehicle" means every vehicle of
156 the fire department (fire patrol), every police vehicle, every 911
157 Emergency Communications District vehicle, every such ambulance
158 and special use EMS vehicle as defined in Section 41-59-3, and
159 every emergency vehicle of municipal departments or public service
160 corporations as is designated or authorized by the commission or
161 the chief of police of an incorporated city.

162 (e) "School bus" means every motor vehicle operated for the
163 transportation of children to or from any school, provided same is
164 plainly marked "School Bus" on the front and rear thereof and
165 meets the requirements of the State Board of Education as
166 authorized under Section 37-41-1.

167 (f) "Recreational vehicle" means a vehicular type unit
168 primarily designed as temporary living quarters for recreational,
169 camping or travel use, which either has its own motive power or is
170 mounted on or drawn by another vehicle and includes travel
171 trailers, fifth wheel trailers, camping trailers, truck campers
172 and motor homes.

173 (g) "Motor home" means a motor vehicle that is designed and
174 constructed primarily to provide temporary living quarters for
175 recreational, camping or travel use.

176 (h) "Electric assistive mobility device" means a
177 self-balancing two-tandem wheeled device, designed to transport
178 only one (1) person, with an electric propulsion system that
179 limits the maximum speed of the device to fifteen (15) miles per
180 hour.

181 **SECTION 4.** Section 63-3-621, Mississippi Code of 1972, is
182 amended as follows:

183 63-3-621. The driver of any vehicle other than one on
184 official business shall not follow any fire apparatus traveling in
185 response to a fire alarm closer than five hundred (500) feet or
186 drive into or park such vehicle within the block where fire
187 apparatus has stopped in answer to a fire alarm. The driver of
188 any vehicle other than an official emergency vehicle shall not
189 follow any moving ambulance that is engaged in an emergency
190 medical call closer than five hundred (500) feet, or park the
191 vehicle within two hundred (200) feet where the ambulance has
192 stopped to pick up or deliver a patient or otherwise render care
193 at the scene of an ambulance call.

194 **SECTION 5.** Section 63-7-19, Mississippi Code of 1972, is
195 amended as follows:

196 63-7-19. (1) Except as otherwise provided for unmarked
197 vehicles under Section 19-25-15 and Section 25-1-87, every police
198 vehicle shall be marked with blue lights. Every ambulance and
199 special use EMS vehicle as defined in Section 41-59-3 shall be
200 marked with red lights front and back and also may be marked with
201 white and amber lights in addition to red lights. Every emergency
202 management/civil defense vehicle, including emergency response
203 vehicles of the Department of Environmental Quality, shall be
204 marked with blinking, rotating or oscillating red lights.
205 Official vehicles of a 911 Emergency Communications District may
206 be marked with red and white lights. Every wrecker or other
207 vehicle used for emergency work, except vehicles authorized to use
208 blue or red lights, shall be marked with blinking, oscillating or
209 rotating amber colored lights to warn other vehicles to yield the
210 right-of-way, as provided in Section 63-3-809. Only police
211 vehicles used for emergency work may be marked with blinking,
212 oscillating or rotating blue lights to warn other vehicles to
213 yield the right-of-way. Only law enforcement vehicles, fire
214 vehicles, private or department-owned vehicles used by firemen of
215 volunteer fire departments which receive funds pursuant to Section
216 83-1-39 when responding to calls, emergency management/civil
217 defense vehicles, emergency response vehicles of the Department of
218 Environmental Quality, ambulances used for emergency work, and 911
219 Emergency Communications District vehicles may be marked with
220 blinking, oscillating or rotating red lights to warn other
221 vehicles to yield the right-of-way. This section shall not apply
222 to school buses carrying lighting devices in accordance with
223 Section 63-7-23.

224 (2) Any vehicle referred to in subsection (1) of this
225 section also shall be authorized to use alternating flashing
226 headlights when responding to any emergency.

227 (3) Any vehicle operated by a United States rural mail
228 carrier for the purpose of delivering United States mail may be
229 marked with two (2) amber colored lights on front top of the
230 vehicle and two (2) red colored lights on rear top of the vehicle
231 so as to warn approaching travelers to decrease their speed
232 because of danger of colliding with the mail carrier as he stops
233 and starts along the edge of the road, street or highway.

234 **SECTION 6.** This act shall take effect and be in force from
235 and after July 1, 2004.