

By: Senator(s) Tollison

To: Judiciary, Division B

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 3007

1 AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO  
2 ENACT DEFINITIONS CONCERNING EMERGENCY OPERATION OF EMERGENCY  
3 RESPONSE VEHICLES SUCH AS AMBULANCES; TO CREATE NEW SECTION  
4 41-59-85, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR EMERGENCY  
5 OPERATION OF AMBULANCES AND SPECIAL USE EMERGENCY MEDICAL SERVICE  
6 VEHICLES; TO AMEND SECTION 63-3-103, MISSISSIPPI CODE OF 1972, TO  
7 REVISE THE DEFINITION OF AUTHORIZED EMERGENCY VEHICLE; TO AMEND  
8 SECTION 63-3-621, MISSISSIPPI CODE OF 1972, TO PROVIDE THE  
9 DISTANCE TO BE MAINTAINED FROM AN AMBULANCE BY THE DRIVERS OF  
10 NONEMERGENCY VEHICLES; TO AMEND SECTION 63-7-19, MISSISSIPPI CODE  
11 OF 1972, TO SPECIFY WHAT LIGHTS ARE TO BE PLACED ON SPECIAL USE  
12 EMERGENCY MEDICAL SERVICE VEHICLES; AND FOR RELATED PURPOSES.

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

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

16 41-59-3. As used in this chapter, unless the context  
17 otherwise requires, the term:

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

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

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

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

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

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

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

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

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

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

59           (k) "Invalid vehicle" shall mean any privately or  
60 publicly owned land or air vehicle which is maintained, operated  
61 and used only to transport persons routinely who are convalescent  
62 or otherwise nonambulatory and do not require the service of an  
63 emergency medical technician while in transit;

64           (l) "Special use EMS vehicle" means any privately or  
65 publicly owned land, water or air emergency vehicle used to

66 support the provision of emergency medical services. These  
67 vehicles shall not be used routinely to transport patients;

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

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

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

85 (p) "Emergency medical condition" means a medical  
86 condition manifested by acute symptoms of sufficient severity,  
87 such as severe pain, psychiatric disturbances or apparent  
88 substance abuse, that would cause a prudent layperson possessing  
89 an average knowledge of health and medicine to reasonably expect  
90 the absence of immediate medical attention to result in:

91 (i) Placing in serious jeopardy the health of the  
92 individual or, with respect to a pregnant woman, the health of the  
93 woman or her unborn child;

94 (ii) Serious impairment to bodily functions; or

95 (iii) Serious dysfunction of any bodily organ or  
96 part.

97 (q) "Emergency medical call" means a situation that is  
98 presumptively classified at the time of dispatch to have a high

99 index 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 in which 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;

107 (s) "Immediate response" means a response in which the  
108 ambulance supplier begins as quickly as possible to take the steps  
109 necessary to respond to the call;

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

114 **SECTION 2.** The following shall be codified as Section  
115 41-59-85, Mississippi Code of 1972:

116 41-59-85. (1) Every ambulance and special use EMS vehicle  
117 shall be marked with red lights front and back and may also be  
118 marked with white and amber lights in addition to red lights.

119 (2) Drivers of ambulances and special use emergency medical  
120 service vehicles shall operate in the emergency mode with warning  
121 lights and siren at all times while engaged in an emergency  
122 medical call if the emergency vehicle is being operated in a  
123 manner to take exception to the traffic laws and regulations as  
124 provided in Section 63-3-205, Mississippi Code of 1972, so as to  
125 warn drivers of nonemergency vehicles to yield the right-of-way to  
126 the authorized emergency vehicle. Ambulances and special use  
127 emergency medical service vehicles may use emergency warning  
128 lights only, if engaged in an emergency medical call and stopped  
129 or parked or operating the vehicle in accordance with all traffic  
130 laws and regulations. No driver of any ambulance or special use  
131 emergency medical service vehicle shall assume any special

132 privilege from traffic laws and regulations except when the  
133 emergency vehicle is operated in the emergency mode while engaged  
134 in an emergency medical call, with warning lights and siren  
135 activated.

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

138         63-3-103 (a) "Vehicle" means every device in, upon or by  
139 which any person or property is or may be transported or drawn  
140 upon a highway, except devices used exclusively upon stationary  
141 rails or tracks.

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

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

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

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

163         (f) "Recreational vehicle" means a vehicular type unit  
164 primarily designed as temporary living quarters for recreational,

165 camping or travel use, which either has its own motive power or is  
166 mounted on or drawn by another vehicle and includes travel  
167 trailers, fifth wheel trailers, camping trailers, truck campers  
168 and motor homes.

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

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

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

179 63-3-621. (1) The driver of any vehicle other than an  
180 official emergency vehicle shall not follow any fire apparatus  
181 traveling in response to a fire alarm closer than five hundred  
182 (500) feet or drive into or park such vehicle within the block  
183 where fire apparatus has stopped in answer to a fire alarm.

184 (2) The driver of any vehicle other than an official  
185 emergency vehicle shall not follow any moving ambulance that is  
186 engaged in an emergency medical call closer than five hundred  
187 (500) feet or park within two hundred (200) feet of where the  
188 ambulance has stopped to pick up or deliver a patient or otherwise  
189 render care at the scene of an ambulance call.

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

192 63-7-19. (1) Except as otherwise provided for unmarked  
193 vehicles under Section 19-25-15 and Section 25-1-87, every police  
194 vehicle shall be marked with blue lights. Every ambulance and  
195 special use emergency medical service vehicle shall be marked with  
196 red lights front and back and may also be marked with white and  
197 amber lights in addition to red lights. Every emergency

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

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

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

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