

By: Representative Reynolds

To: Transportation

HOUSE BILL NO. 842

1 AN ACT TO AMEND SECTION 63-3-809, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE MOTOR VEHICLE OPERATORS TO PERFORM CERTAIN TRAFFIC
3 SAFETY MANEUVERS WHEN APPROACHING AUTHORIZED EMERGENCY VEHICLES
4 POSITIONED ON OR ALONGSIDE OF A ROAD, STREET OR HIGHWAY IN THE
5 PERFORMANCE OF EMERGENCY SERVICES; TO DOUBLE THE FINES OTHERWISE
6 IMPOSED FOR A VIOLATION OF THIS SECTION; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 63-3-809, Mississippi Code of 1972, is
9 amended as follows:

10 63-3-809. (1) Upon the immediate approach of an authorized
11 emergency vehicle, when the driver is giving audible signal by
12 siren, exhaust whistle, or bell, the driver of every other vehicle
13 shall yield the right-of-way and shall immediately drive to a
14 position parallel to, and as close as possible to, the right-hand
15 edge or curb of the roadway clear of any intersection and shall
16 stop and remain in such position until the authorized emergency
17 vehicle has passed, except when otherwise directed by a law
18 enforcement officer.

19 (2) When an authorized emergency vehicle is parked or
20 positioned on or alongside of a road, street or highway in the
21 performance of emergency services and is displaying blinking,
22 oscillating or rotating lights, as authorized under Section
23 63-7-19, the operator of every other vehicle approaching the
24 emergency vehicle, in an immediate but safe manner, except when
25 otherwise directed by a law enforcement officer, shall:

26 (a) When driving on a roadway with two (2) or more
27 lanes for vehicles traveling in the same direction, vacate the
28 lane closest to the emergency vehicle; or

29 (b) When driving on a roadway with only one (1) lane
30 for vehicles traveling in the same direction, slow to a speed of
31 twenty (20) miles per hour less than the posted speed limit when
32 the posted speed limit is twenty-five (25) miles per hour or
33 greater, or slow to a speed of five (5) miles per hour when the
34 posted speed limit is twenty (20) miles per hour or less.

35 (3) This section shall not operate to relieve the driver of
36 an authorized emergency vehicle from the duty to drive with due
37 regard for the safety of all persons using the highway.

38 (4) Any person convicted for a violation of this section
39 shall be subject to a fine of twice the amount of the fine
40 otherwise imposed under Section 63-9-11.

41 **SECTION 2.** This act shall take effect and be in force from
42 and after July 1, 2007.