

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.