

By: Representatives Mayhall, Formby

To: Transportation

HOUSE BILL NO. 34

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; AND FOR RELATED PURPOSES.

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

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

9 63-3-809. (1) Upon the immediate approach of an authorized
10 emergency vehicle, when the driver is giving audible signal by
11 siren, exhaust whistle, or bell, the driver of every other vehicle
12 shall yield the right-of-way and shall immediately drive to a
13 position parallel to, and as close as possible to, the right-hand
14 edge or curb of the roadway clear of any intersection and shall
15 stop and remain in such position until the authorized emergency
16 vehicle has passed, except when otherwise directed by a law
17 enforcement officer.

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

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

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

34 (3) The Department of Public Safety shall provide an
35 educational awareness campaign informing the motoring public about
36 the provisions of subsection (2) of this section and shall include
37 such information in all driver's license educational materials
38 printed after June 30, 2007.

39 (4) This section shall not operate to relieve the driver of
40 an authorized emergency vehicle from the duty to drive with due
41 regard for the safety of all persons using the highway.

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