

HOUSE BILL No. 2065

By Committee on Judiciary

1-23

1 AN ACT concerning motor vehicles; relating to authorized emergency
2 vehicles; duties and liability; amending K.S.A. 8-1506, 8-1530 and 8-
3 1541 and repealing the existing sections.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 8-1506 is hereby amended to read as follows: 8-
7 1506. (a) The driver of an authorized emergency vehicle, when responding
8 to an emergency call or when in the pursuit of an actual or suspected
9 violator of the law, or when responding to but not upon returning from a
10 fire alarm, may exercise the privileges set forth in this section, but subject
11 to the conditions herein stated.

12 (b) The driver of an authorized emergency vehicle may:

13 (1) Park or stand, irrespective of the provisions of this article;

14 (2) Proceed past a red or stop signal or stop sign, but only after
15 slowing down as may be necessary for safe operation;

16 (3) Exceed the maximum speed limits so long as such driver does not
17 endanger life or property;

18 (4) Disregard regulations governing direction of movement or turning
19 in specified directions; and

20 (5) Proceed through toll booths on roads or bridges without stopping
21 for payment of tolls, but only after slowing down as may be necessary for
22 safe operation and the picking up or returning of toll cards.

23 (c) The exemptions herein granted to an authorized emergency
24 vehicle shall apply only when such vehicle is making use of an audible
25 signal meeting the requirements of K.S.A. 8-1738, *and amendments*
26 *thereto*, and visual signals meeting the requirements of K.S.A. 8-1720, *and*
27 *amendments thereto*, except that an authorized emergency vehicle operated
28 as a police vehicle need not be equipped with or display a red light visible
29 from in front of the vehicle.

30 (d) The foregoing provisions shall not relieve the driver of an
31 authorized emergency vehicle ~~from the duty to drive with due regard for~~
32 ~~the safety of all persons, nor shall such provisions protect the driver from~~
33 the consequences of reckless disregard for the safety of others.

34 Sec. 2. K.S.A. 8-1530 is hereby amended to read as follows: 8-1530.

35 (a) Upon the immediate approach of an authorized emergency vehicle
36 making use of an audible signal meeting the requirements of ~~subsection (d)~~

1 of K.S.A. 8-1738(d), and amendments thereto, and visual signals meeting
2 the requirements of K.S.A. 8-1720, and amendments thereto, or of a police
3 vehicle properly and lawfully making use of an audible signal only, the
4 driver of every other vehicle shall do the following unless otherwise
5 directed by a police officer:

- 6 (1) Yield the right-of-way;
- 7 (2) immediately drive to a position parallel to and as close as possible
8 to the right-hand edge or curb of the roadway clear of any intersection; and
- 9 (3) stop and remain in such position until the authorized emergency
10 vehicle has passed.

11 (b) The driver of a motor vehicle upon approaching a stationary
12 authorized emergency vehicle, when the authorized emergency vehicle is
13 making use of visual signals meeting the requirements of K.S.A. 8-1720-
14 ~~and amendments thereto, or subsection (d) of K.S.A. or 8-1722(d)~~, and
15 amendments thereto, shall do either of the following:

16 (1) If the driver of the motor vehicle is traveling on a highway that
17 consists of at least two lanes that carry traffic in the same direction of
18 travel as that of the driver's motor vehicle, the driver shall proceed with
19 due caution and, if possible and with due regard to the road, weather and
20 traffic conditions, shall change lanes into a lane that is not adjacent to that
21 of the stationary authorized emergency vehicle; or

22 (2) if the driver is not traveling on a highway of a type described in
23 paragraph (1), or if the driver is traveling on a highway of that type but it
24 is not possible to change lanes or if to do so would be unsafe, the driver
25 shall proceed with due caution, reduce the speed of the motor vehicle and
26 maintain a safe speed for the road, weather and traffic conditions.

27 (c) From and after the effective date of this act and prior to July 1,
28 2001, a law enforcement officer shall issue a warning citation to anyone
29 violating the provisions of subsection (b).

30 ~~(d) This section shall not operate to relieve the driver of an authorized
31 emergency vehicle from the duty to drive with due regard for the safety of
32 all persons using the highway.~~

33 Sec. 3. K.S.A. 8-1541 is hereby amended to read as follows: 8-1541.

34 (a) Upon the immediate approach of an authorized emergency vehicle
35 making use of an audible signal meeting the requirements of ~~subsection (d)~~
36 of K.S.A. 8-1738(d), *and amendments thereto*, and visual signals meeting
37 the requirements of K.S.A. 8-1720, *and amendments thereto*, or of a police
38 vehicle properly and lawfully making use of an audible signal only, every
39 pedestrian shall yield the right-of-way to the authorized emergency
40 vehicle.

41 (b) This section shall not relieve the driver of an authorized
42 emergency vehicle from the ~~duty to drive with due regard for the safety of~~
43 ~~all persons using the highway nor from the duty to exercise due care to~~

1 ~~avoid colliding with any pedestrian~~ *consequences of reckless disregard for*
2 *the safety of others.*

3 Sec. 4. K.S.A. 8-1506, 8-1530 and 8-1541 are hereby repealed.

4 Sec. 5. This act shall take effect and be in force from and after its
5 publication in the statute book.