

HOUSE BILL NO. 253

INTRODUCED BY KROPP

BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE HOUSE

January 15, 1981	Introduced and referred to Committee on Highways and Transportation.
January 23, 1981	Committee recommend bill do pass. Report adopted.
January 24, 1981	Bill printed and placed on members' desks.
January 27, 1981	Second reading, do pass.
January 28, 1981	Considered correctly engrossed. Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 29, 1981	Introduced and referred to Committee on Highways and Transportation.
February 6, 1981	Committee recommend bill be concurred in. Report adopted.
February 9, 1981	Second reading, concurred in.
February 11, 1981	Third reading, concurred in. Yeas, 48; Nays, 1.

IN THE HOUSE

February 12, 1981	Returned from the Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
-------------------	---

HOUSE BILL NO. 253

INTRODUCED BY *Knapp*
BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPERATORS OF POLICE AND AUTHORIZED EMERGENCY VEHICLES DISCRETION IN THE USE OF AUDIBLE OR VISUAL SIGNALS AND TO ELIMINATE DUPLICATION IN THE LAW REGARDING DISPLAY OF A RED LIGHT; AMENDING SECTION 61-8-107, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-8-107, MCA, is amended to read:

"61-8-107. Police vehicles and authorized emergency vehicles. (1) The driver of a police vehicle or authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(2) The driver of a police vehicle or authorized emergency vehicle may:

(a) park or stand, irrespective of the provisions of this chapter;

(b) proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe

operation;

(c) exceed the speed limits so long as he does not endanger life or property;

(d) disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions herein granted to a police vehicle or authorized emergency vehicle shall apply only when such vehicles--are the vehicle is making use of an audible and or visual signals signal, or both, meeting the requirements of 61-9-402,---except--that--an--authorized--emergency--vehicle operated-as-a-police-vehicle-need-not-be-equipped-with-or display-a-red-light-visible-from-in-front-of-the-vehicle.

(4) The foregoing provisions shall not relieve the driver of a police vehicle or authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others."

-End-

Approved by Committee
on Highways & Transportation

1 HOUSE BILL NO. 253
2 INTRODUCED BY Koopp
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPERATORS
6 OF POLICE AND AUTHORIZED EMERGENCY VEHICLES DISCRETION IN
7 THE USE OF AUDIBLE OR VISUAL SIGNALS AND TO ELIMINATE
8 DUPLICATION IN THE LAW REGARDING DISPLAY OF A RED LIGHT;
9 AMENDING SECTION 61-8-107, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 61-8-107, MCA, is amended to read:
13 "61-8-107. Police vehicles and authorized emergency
14 vehicles. (1) The driver of a police vehicle or authorized
15 emergency vehicle, when responding to an emergency call or
16 when in the pursuit of an actual or suspected violator of
17 the law or when responding to but not upon returning from a
18 fire alarm, may exercise the privileges set forth in this
19 section, but subject to the conditions herein stated.

20 (2) The driver of a police vehicle or authorized
21 emergency vehicle may:

22 (a) park or stand, irrespective of the provisions of
23 this chapter;

24 (b) proceed past a red or stop signal or stop sign,
25 but only after slowing down as may be necessary for safe

1 operation;
2 (c) exceed the speed limits so long as he does not
3 endanger life or property;

4 (d) disregard regulations governing direction of
5 movement or turning in specified directions.

6 (3) The exemptions herein granted to a police vehicle
7 or authorized emergency vehicle ~~shall~~ apply only when such
8 ~~vehicles--are the vehicle is~~ making use of an audible ~~and or~~
9 visual ~~signals signals or both~~, meeting the requirements of
10 61-9-402, ~~---except---that---an---authorized---emergency---vehicle~~
11 ~~operated-as-a-police-vehicle-need-not-be---equipped---with---or~~
12 ~~display-a-red-light-visible-from-in-front-of-the-vehicle.~~

13 (4) The foregoing provisions shall not relieve the
14 driver of a police vehicle or authorized emergency vehicle
15 from the duty to drive with due regard for the safety of all
16 persons, nor shall such provisions protect the driver from
17 the consequences of his reckless disregard for the safety of
18 others."

-End-

1 HOUSE BILL NO. 253
 2 INTRODUCED BY Knapp
 3 BY REQUEST OF THE DEPARTMENT OF JUSTICE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPERATORS
 6 OF POLICE AND AUTHORIZED EMERGENCY VEHICLES DISCRETION IN
 7 THE USE OF AUDIBLE OR VISUAL SIGNALS AND TO ELIMINATE
 8 DUPLICATION IN THE LAW REGARDING DISPLAY OF A RED LIGHT;
 9 AMENDING SECTION 61-8-107, MCA."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 61-8-107, MCA, is amended to read:
 13 "61-8-107. Police vehicles and authorized emergency
 14 vehicles. (1) The driver of a police vehicle or authorized
 15 emergency vehicle, when responding to an emergency call or
 16 when in the pursuit of an actual or suspected violator of
 17 the law or when responding to but not upon returning from a
 18 fire alarm, may exercise the privileges set forth in this
 19 section, but subject to the conditions herein stated.

20 (2) The driver of a police vehicle or authorized
 21 emergency vehicle may:

22 (a) park or stand, irrespective of the provisions of
 23 this chapter;

24 (b) proceed past a red or stop signal or stop sign,
 25 but only after slowing down as may be necessary for safe

1 operation;

2 (c) exceed the speed limits so long as he does not
 3 endanger life or property;

4 (d) disregard regulations governing direction of
 5 movement or turning in specified directions.

6 (3) The exemptions herein granted to a police vehicle
 7 or authorized emergency vehicle shall apply only when such
 8 vehicles--are the vehicle is making use of an audible and or
 9 visual signals signal, or both, meeting the requirements of
 10 61-9-402,---except---that---an---authorized---emergency---vehicle
 11 operated-as-a-police-vehicle-need-not-be-equipped-with--or
 12 display-a-red-light-visible-from-in-front-of-the-vehicle.

13 (4) The foregoing provisions shall not relieve the
 14 driver of a police vehicle or authorized emergency vehicle
 15 from the duty to drive with due regard for the safety of all
 16 persons, nor shall such provisions protect the driver from
 17 the consequences of his reckless disregard for the safety of
 18 others."

-End-

1 HOUSE BILL NO. 253
 2 INTRODUCED BY KROPP
 3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPERATORS
 6 OF POLICE AND AUTHORIZED EMERGENCY VEHICLES DISCRETION IN
 7 THE USE OF AUDIBLE OR VISUAL SIGNALS AND TO ELIMINATE
 8 DUPLICATION IN THE LAW REGARDING DISPLAY OF A RED LIGHT;
 9 AMENDING SECTION 61-8-107, MCA."
 10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 61-8-107, MCA, is amended to read:

13 "61-8-107. Police vehicles and authorized emergency
 14 vehicles. (1) The driver of a police vehicle or authorized
 15 emergency vehicle, when responding to an emergency call or
 16 when in the pursuit of an actual or suspected violator of
 17 the law or when responding to but not upon returning from a
 18 fire alarm, may exercise the privileges set forth in this
 19 section, but subject to the conditions herein stated.

20 (2) The driver of a police vehicle or authorized
 21 emergency vehicle may:

22 (a) park or stand, irrespective of the provisions of
 23 this chapter;

24 (b) proceed past a red or stop signal or stop sign,
 25 but only after slowing down as may be necessary for safe

1 operation;

2 (c) exceed the speed limits so long as he does not
 3 endanger life or property;

4 (d) disregard regulations governing direction of
 5 movement or turning in specified directions.

6 (3) The exemptions herein granted to a police vehicle
 7 or authorized emergency vehicle ~~shall~~ apply only when ~~such~~
 8 ~~vehicles--are~~ the vehicle is making use of an audible and or
 9 visual signals signal, or both, meeting the requirements of
 10 61-9-402, ~~---except---that---an---authorized---emergency---vehicle~~
 11 ~~operated-as-a-police-vehicle-need-not-be-equipped-with--or~~
 12 ~~display-a-red-light-visible-from-in-front-of-the-vehicle.~~

13 (4) The foregoing provisions shall not relieve the
 14 driver of a police vehicle or authorized emergency vehicle
 15 from the duty to drive with due regard for the safety of all
 16 persons, nor shall such provisions protect the driver from
 17 the consequences of his reckless disregard for the safety of
 18 others."

-End-

REFERENCE BILL