

SENATE BILL NO. 40

BY SENATOR WHEAT

1 AN ACT

2 To amend and reenact R.S. 32:125, relative to the procedure for approaching vehicles
3 adjacent to the highway; to provide for procedure for approaching authorized
4 emergency vehicles parked adjacent to the highway; to provide for procedures
5 approaching any vehicle in an emergency; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:125 is hereby amended and reenacted to read as follows:

8 §125. Procedure on approach of an authorized emergency vehicle; passing a parked
9 or disabled, emergency or nonemergency vehicle

10 A.(1) Upon the immediate approach of an authorized emergency vehicle, as
11 defined by R.S. 32:1, making use of audible or visual signals, authorized by law,
12 including the display of alternately flashing green, amber, blue, red, or yellow
13 warning lights, or of a police vehicle properly and lawfully making use of an
14 audible signal only, the driver of every other vehicle shall yield the right-of-way and
15 shall immediately drive to a position parallel to, and as close as possible to, the right-
16 hand edge or curb of the highway clear of any intersection, and shall stop and remain
17 in such position until the authorized emergency vehicle has passed, except when
18 otherwise directed by a police officer.

19 (2) This Section shall not be construed to relieve the driver of an
20 authorized emergency vehicle from the duty to drive with due regard for the
21 safety of all persons using the highway.

22 B. When any vehicle ~~making use of any visual signals as authorized by law,~~
23 ~~including the display of alternately flashing green, amber, or yellow warning lights,~~
24 as defined by R.S. 32:1, is parked on or near the highway, disabled, immobilized,
25 nonoperational and is making use of any visual signals including the display of
26 flashing lights, hazard lamps, or any emergency warning devices, the driver of
27 every other passing or approaching vehicle shall:

1 ~~(1) When driving on an interstate highway or other highway with two or~~
2 ~~more lanes traveling in the same direction,~~ yield the right-of-way **when driving on**
3 **an interstate highway or other highway with two or more lanes traveling in the**
4 **same direction,** by making a lane change into a lane not adjacent to the parked
5 vehicle, if possible with due regard to safety and traffic conditions. If a lane change
6 is not possible, **unsafe, or driving on a two-lane road or highway,** the driver shall
7 slow to a reasonably safe speed **and maintain a safe speed for road conditions.**

8 ~~(2) Maintain a safe speed for road conditions, if unable or unsafe to change~~
9 ~~lanes, or driving on a two-lane road or highway.~~

10 ~~C. This Section shall not operate to relieve the driver of an authorized~~
11 ~~emergency vehicle from the duty to drive with due regard for the safety of all~~
12 ~~persons using the highway.~~

13 ~~Ð.~~ Any person who violates the provisions of this Section shall, upon
14 conviction, be subject to a fine not to exceed two hundred dollars.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____