

No. 281

AN ACT

HB 2276

Amending the act of April 29, 1959 (P.L.58, No.32), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," authorizing emergency vehicles of the armed forces of the United States to be equipped with red lights, horns and warning devices, granting such vehicles the right of way and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 814, subsection (b) of section 820 and subsection (b) of section 1014, act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," amended July 29, 1965 (P.L.259, No.151), are amended to read:

Section 814. Red Light Visible From in Front of Vehicles.—No person shall operate or move any vehicle or tractor with a red light displayed to the front thereof, except school bus, fire department, fire patrol apparatus, police department vehicles, ambulances, *emergency vehicles of the armed forces of the United States* or the private vehicles of those chiefs of fire or police departments, assistant chiefs of fire or police departments, fire marshals, or commanders of river rescue organizations who, in accordance with a statement filed with the Pennsylvania State Police prior thereto, use the same for answering fire, police or emergency calls.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 820. Horns and Warning Devices.—

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(b) Every police, fire department and fire patrol vehicle, ambulance, *emergency vehicles of the armed forces of the United States* or the private vehicle of the chief of any fire department, and the first assistant chief of any fire department, and when a fire company has three (3) or more pieces of apparatus, a second assistant chief, or the private vehicle of the chief of any police department and the first assistant chief of any police department, fire marshal or commanders of river rescue organizations who, in accordance with a statement filed with the Pennsylvania State Police prior thereto, uses the same for answering fire or emergency calls, may be equipped with a bell, siren, compression or spark plug whistle, of a type approved by the secretary.

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Section 1014. Exceptions to the Right of Way Rule.—

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(b) The driver of a vehicle upon a highway shall yield the right of way to police, fire department vehicles, ambulances, ***emergency vehicles of the armed forces of the United States*** and the private vehicles of those chiefs of fire departments, assistant chiefs of fire departments, fire marshals and commanders of river rescue organizations who signify in writing their intention to use such vehicles while answering fire or emergency calls, and file the written declaration prior to such use thereof with the Pennsylvania State Police, when such vehicles are operated upon official business and the drivers thereof sound audible signal. This provision shall not operate to relieve the driver of any such vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way.

* * *

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 2. Subsections (a) and (c) of section 1015 of the act, amended April 3, 1968 (P.L.83, No.37), is amended to read:

Section 1015. What to Do on Approach of Ambulance, Police, Fire Department, [or] River Rescue Vehicle ***or Emergency Vehicle of the Armed Forces of the United States.***—

(a) Upon the approach of any police, fire department vehicle, ambulance, ***emergency vehicle of the armed forces of the United States***, or the private vehicle of the chief of any fire department, assistant chief of any fire department, fire marshal or commanders of any river rescue organizations who, in accordance with a statement filed with the Pennsylvania State Police prior thereto, uses the same for answering fire or emergency calls, giving audible signal, the driver of every other vehicle shall immediately drive the same to a position as near as possible, and parallel to, the right-hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position, unless otherwise directed by a peace officer, until such vehicle shall have passed.

* * *

(c) Upon the approach of any police, fire department vehicle, ambulance, ***emergency vehicle of the armed forces of the United States***, or the private vehicle of the chief of any fire department, assistant chief of any fire department, fire marshal or commanders of any river rescue organizations who, in accordance with a statement filed with the

Pennsylvania State Police prior thereto, uses the same for answering fire or emergency calls, giving audible signal, the operator of every streetcar or trackless trolley omnibus shall immediately stop and remain in such position, unless otherwise directed by a peace officer, until such vehicle shall have passed.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten dollars (\$10.00) and not more than fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

APPROVED—The 10th day of December, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 281.

A handwritten signature in cursive script, reading "C. McLaughlin Tucker". The signature is written in black ink and is positioned above the printed name of the Secretary of the Commonwealth.

Secretary of the Commonwealth.