

Senate File 2016 - Introduced

SENATE FILE 2016

BY WHITING

A BILL FOR

1 An Act relating to motor vehicles approaching a stationary
2 authorized emergency vehicle displaying flashing lights, and
3 making penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.323A, subsection 1, Code 2020, is
2 amended to read as follows:

3 1. The operator of a motor vehicle approaching a stationary
4 authorized emergency vehicle that is displaying flashing
5 lights, as permitted under [section 321.423](#), shall approach the
6 authorized emergency vehicle with due caution and shall ~~proceed~~
7 ~~in one take all~~ of the following ~~manners actions~~, absent any
8 other direction by a peace officer:

9 a. Make a lane change into a lane not adjacent to the
10 authorized emergency vehicle if possible in the existing ~~safety~~
11 road and traffic conditions, unless the lane change would be
12 impossible, prohibited by law, or unsafe.

13 ~~b. If a lane change under paragraph "a" would be impossible,~~
14 ~~prohibited by law, or unsafe, reduce~~ Reduce the speed of the
15 motor vehicle to a reasonable and proper speed for the existing
16 road and traffic conditions, which speed shall be at least
17 twenty miles per hour less than the posted speed limit, and be
18 prepared to stop.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 Current law requires an operator of a motor vehicle
23 approaching a stationary authorized emergency vehicle that is
24 displaying flashing lights to approach the authorized emergency
25 vehicle with due caution and, absent any other direction by a
26 peace officer, to either make a lane change into a lane not
27 adjacent to the authorized emergency vehicle or, if doing so
28 would be impossible, prohibited by law, or unsafe, reduce the
29 speed of the motor vehicle to less than the posted speed limit
30 and be prepared to stop.

31 This bill instead requires the operator, regardless of
32 whether the operator makes a lane change into a lane not
33 adjacent to the authorized emergency vehicle, to reduce the
34 speed of the motor vehicle to a reasonable and proper speed for
35 the existing road and traffic conditions, which speed shall be

1 at least 20 miles per hour less than the posted speed limit,
2 and be prepared to stop.

3 By operation of law, a violation of the bill is a simple
4 misdemeanor punishable by a scheduled fine of \$100. A
5 violation that results in an accident causing bodily injury to
6 another person is subject to an additional fine of \$500, and
7 a violation that results in an accident causing the death of
8 another person is subject to an additional fine of \$1,000.
9 Lastly, a violation that results in an accident causing damage
10 to the property of another person or bodily injury to or the
11 death of another person is punishable by the suspension of the
12 violator's driver's license for certain periods depending on
13 the violation.