

Senate File 503 - Introduced

SENATE FILE 503

BY DICKEY

A BILL FOR

1 An Act relating to fire fighters and emergency medical services
2 members responding to emergency situations in certain
3 vehicles.

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

1 Section 1. NEW SECTION. 321.231A Fire fighters and
2 emergency medical services members responding to emergency
3 situations.

4 1. The driver of a vehicle displaying fire fighter or
5 emergency medical services registration plates issued pursuant
6 to section 321.34, subsection 10 or 10A, who is a current
7 member of a paid or volunteer fire department or emergency
8 medical services agency, may reasonably exceed the maximum
9 speed limits based on the facts and circumstances at the time
10 when responding to, but not upon returning from, an emergency
11 call or fire alarm, only if the driver has received emergency
12 vehicle operations training and is making use of a blue light
13 pursuant to section 321.423, subsection 3.

14 2. The provisions of this section shall not relieve the
15 driver from the duty to drive with due regard for the safety of
16 all other persons, nor shall such provisions protect the driver
17 from the consequences of the driver's reckless disregard for
18 the safety of others.

19 3. A court shall dismiss and expunge from a driver's
20 record any excessive speed violation citations issued to a
21 driver under circumstances in which the driver complied with
22 subsection 1, if the driver presents to the court a signed
23 statement from the applicable fire chief or chief officer of
24 an emergency medical services agency providing details about
25 the driver's operation of the vehicle while responding to an
26 emergency call or fire alarm, which operation resulted in the
27 citation.

28 Sec. 2. Section 321.423, subsection 3, paragraph a, Code
29 2021, is amended by adding the following new subparagraph:

30 NEW SUBPARAGRAPH. (03) A vehicle authorized by the chief
31 officer of an emergency medical services agency, if the vehicle
32 is owned by a member of the emergency medical services agency,
33 the request for authorization is made by the member on forms
34 provided by the department, and necessity for authorization
35 to respond to an emergency call or fire alarm under section

1 321.231A is demonstrated in the request.

2 Sec. 3. Section 321.423, subsection 3, paragraph b, Code
3 2021, is amended to read as follows:

4 b. A person shall not use only a blue light on a vehicle
5 unless the vehicle meets the requirements of paragraph "a",
6 subparagraph (1), ~~or (2)~~, or (03).

7 EXPLANATION

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

10 Under current law, the driver of a fire department vehicle,
11 police vehicle, rescue vehicle, or ambulance, or a peace
12 officer riding a police bicycle in the line of duty, is
13 authorized to exceed the maximum speed limits so long as the
14 driver does not endanger life or property, including the
15 driver's.

16 This bill allows the driver of a vehicle displaying fire
17 fighter or emergency medical services registration plates to
18 reasonably exceed the maximum speed limits based on the facts
19 and circumstances at the time when responding to, but not upon
20 returning from, an emergency call or fire alarm. The driver
21 must have received emergency vehicle operations training and
22 make use of a blue light.

23 The bill does not relieve the driver from the duty to drive
24 with due regard for the safety of all other persons, and the
25 bill does not protect the driver from the consequences of the
26 driver's reckless disregard for the safety of others.

27 A person who is a current member of a paid or volunteer
28 emergency medical services agency, or a current or retired
29 member of a paid or volunteer fire department, may apply for
30 fire fighter or emergency medical services registration plates.
31 The bill does not apply to a retired member of a paid or
32 volunteer fire department who drives a vehicle displaying fire
33 fighter plates.

34 The bill requires a court to dismiss and expunge from a
35 driver's record any speeding citation issued to a driver under

1 circumstances in which the driver complied with the bill
2 and who presents to the court a signed statement from the
3 applicable fire chief or chief officer of an emergency medical
4 services agency providing details about the driver's operation
5 of the vehicle while responding to an emergency call or fire
6 alarm, which operation resulted in the citation.

7 Under current law, vehicles owned or exclusively operated by
8 a fire department and vehicles authorized by the chief of the
9 fire department, if owned by a member of the fire department,
10 may use only a flashing blue light if a request is made by the
11 member to, and approved by, the department of transportation
12 (DOT). The bill extends the authorized use of a flashing
13 blue light to vehicles authorized by the chief officer of
14 an emergency medical services agency, when a member of such
15 organization makes a similar request to the DOT to display a
16 blue light for purposes of the bill.

17 Drivers who exceed the lawful speed limit are subject to a
18 scheduled fine based on the level of excess speed as provided
19 in Code section 805.8A(5), ranging from \$30 for a violation of
20 less than five miles per hour over the limit to \$135 plus \$5
21 for each mile per hour in excess of 20 miles per hour over the
22 limit.