

House File 2655 - Introduced

HOUSE FILE 2655
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 686)

A BILL FOR

1 An Act relating to the operating privileges of drivers of
2 authorized emergency vehicles and police officers riding
3 police bicycles.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 321.231, subsection 2, unnumbered
2 paragraph 1, Code 2026, is amended to read as follows:

3 The driver of any an authorized emergency vehicle or peace
4 officer riding a police bicycle in the line of duty, may:

5 Sec. 2. Section 321.231, subsection 2, Code 2026, is amended
6 by adding the following new paragraphs:

7 NEW PARAGRAPH. f. Proceed past a red or stop signal or stop
8 sign, but only after slowing down to or maintaining a speed
9 deemed necessary for safe operation by the driver based on
10 information known to the driver at the time.

11 NEW PARAGRAPH. g. Exceed the maximum speed limits so long as
12 the driver does not recklessly endanger life or property.

13 Sec. 3. Section 321.231, subsection 3, Code 2026, is amended
14 by striking the subsection.

15 Sec. 4. Section 321.231, subsection 5, Code 2026, is amended
16 to read as follows:

17 5. a. The exemptions granted to the driver of an authorized
18 emergency vehicle under subsection 2 ~~and to the driver of an~~
19 ~~official fire department vehicle, police vehicle, rescue vehicle,~~
20 ~~ambulance, emergency medical services vehicle, or emergency~~
21 ~~management vehicle as provided in subsection 3~~ shall apply only
22 when such vehicle is making use of an audible warning device
23 meeting the requirements of section 321.433 or a visual signaling
24 device authorized under this chapter.

25 b. The exemption granted under subsection 3 2, paragraph
26 ~~"b"~~ "g", shall be granted to a peace officer or reserve peace
27 officer operating an authorized emergency vehicle without using
28 an audible warning device or visual signaling device if such
29 action occurs over the shortest distance necessary, does not
30 recklessly endanger persons or property, and if the officer is
31 pursuing a suspected violator of the speed restrictions imposed
32 by or pursuant to this chapter for the purpose of determining the
33 speed of travel of such suspected violator, or if the officer
34 reasonably believes based on the facts and circumstances at
35 the time that a suspected violator's knowledge of the officer's

1 proximity may cause the suspected violator to destroy evidence of
2 a suspected felony or aggravated misdemeanor, evade apprehension,
3 or endanger the public or the officer.

4 c. The exemption granted under subsection 3 2, paragraph "b"
5 "g", shall be granted to the driver of an authorized emergency
6 vehicle transporting a patient to a hospital without using a
7 visual signaling device or audible warning device if a certified
8 emergency medical care provider reasonably believes the patient's
9 condition warrants rapid transport.

10

EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

13 Under current law, for purposes of Code chapter 321 (motor
14 vehicles and law of the road), "authorized emergency vehicle"
15 includes vehicles of a fire department, police vehicles,
16 ambulances, and emergency vehicles owned by a governmental
17 entity, and privately owned vehicles as are designated or
18 authorized by the director of transportation under Code section
19 321.451. Privately owned vehicles which may be designated as
20 authorized emergency vehicles include an ambulance or fire or
21 rescue vehicle; a state or county medical examiner vehicle; a
22 personal vehicle of a sheriff, deputy sheriff, chief of police,
23 police officer, chief of a paid fire department, or certified
24 chief or certified fire officer of a volunteer fire department,
25 a combination volunteer-paid fire department, or a nonprofit
26 corporation that delivers emergency services on behalf of a
27 municipality; a towing or recovery vehicle; or a personal vehicle
28 of a chief, medical director, or certified medical provider of an
29 authorized emergency medical service.

30 Current law authorizes the driver of an authorized emergency
31 vehicle, when responding to an emergency call, when in the
32 pursuit of an actual or suspected perpetrator of a felony or
33 misdemeanor, in response to an incident dangerous to the public,
34 or when responding to but not upon returning from a fire alarm,
35 to disregard specified traffic laws. Under such circumstances,

1 the driver of any authorized emergency vehicle may park or
2 stand the vehicle irrespective of traffic laws, disregard laws
3 or regulations governing direction of movement for the minimum
4 distance necessary, drive the vehicle on the shoulder or median
5 of a highway, disregard laws or regulations governing turning
6 the vehicle in specified directions, and disregard laws or
7 regulations governing overtaking or passing other motorists. Two
8 additional authorizations are granted to official fire department
9 vehicles, police vehicles, rescue vehicles, ambulances, emergency
10 medical services vehicles, and emergency management vehicles, and
11 peace officers riding a police bicycle in the line of duty:
12 (1) proceeding past a red or stop signal or stop sign after
13 slowing down to or maintaining a speed deemed necessary for safe
14 operation and (2) exceeding the maximum speed limits so long as
15 the driver does not recklessly endanger life or property.

16 This bill grants the two authorizations to proceed past a
17 red or stop signal or stop sign, and to exceed the maximum
18 speed limit, to the driver of any authorized emergency vehicle,
19 including privately owned vehicles such as towing and recovery
20 vehicles. The bill also specifies that the authorizations for
21 drivers of authorized emergency vehicles apply to peace officers
22 riding a police bicycle in the line of duty.

23 Under current law and the bill, these authorizations apply
24 only to vehicles making use of an audible warning device or
25 visual signaling device, except under certain circumstances.
26 A violation of Code section 321.231 is punishable by a \$135
27 scheduled fine.