

CHAPTER 156
SB 133-FN - FINAL VERSION

02/14/2019 0312s

2019 SESSION

19-0864
11/08

SENATE BILL ***133-FN***

AN ACT relative to the definition of emergency vehicles.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. French, Dist 7; Sen. Watters, Dist 4

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill adds vehicles of the New Hampshire department of corrections to the definition of "emergency vehicle," and permits vehicles operated by certain personnel of the department of corrections to use sirens, blue lights, emergency lights, and warning lights.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to the definition of emergency vehicles.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 156:1 Motor Vehicles; Words and Phrases Defined; Emergency Vehicles. Amend RSA 259:28 to
2 read as follows:

3 259:28 Emergency Vehicles. "Emergency vehicles" shall mean all vehicles of fire departments
4 and police departments, ***the state department of corrections***, and such ambulances and
5 emergency vehicles of municipal departments or public service corporations as authorized by the
6 director.

7 156:2 Motor Vehicles; Equipment of Vehicles; Sirens. Amend RSA 266:73 to read as follows:

8 266:73 Sirens. It shall be unlawful for any motor vehicle to be driven on the ways of this state
9 equipped with a siren. The provisions of this section shall not apply to such emergency vehicles as
10 police, fire department, ~~and~~ fire patrol, ***and state department of corrections*** vehicles nor to
11 those law enforcement officers or volunteer members of fire departments nor to public or private
12 ambulances.

13 156:3 Motor Vehicles; Equipment of Vehicles; Blue Lights Restricted to Law Enforcement, State
14 Department of Corrections, and Emergency Response. Amend RSA 266:78-b to read as follows:

15 266:78-b Blue Lights Restricted to Law Enforcement, ***State Department of Corrections***, and
16 Emergency Response.

17 I. No person other than a sworn law enforcement officer with power of arrest, ***state***
18 ***probation and parole officers, and state correctional officers in the performance of their***
19 ***official duties*** shall operate a vehicle equipped with blue colored lights, except in the case of a
20 service technician driving the vehicle in connection with servicing or maintaining the vehicle or as
21 provided under paragraph II.

22 II. No person other than a sworn law enforcement officer with power of arrest, ***state***
23 ***probation and parole officers, and state correctional officers in the performance of their***
24 ***official duties*** or an emergency response employee or volunteer of a city, town, or village district or
25 the federal government or an employee of a private ambulance service contracted with a city, town,
26 or village district shall operate a vehicle equipped with a rear-facing blue colored light, except in the
27 case of a service technician driving the vehicle in connection with servicing or maintaining the
28 vehicle.

29 III. Blue colored lights are authorized only for vehicles owned or leased by state, county,
30 municipal, or federal law enforcement agencies, ***state department of corrections***, fire marshal

CHAPTER 156
SB 133-FN - FINAL VERSION
- Page 2 -

vehicles, emergency response vehicles owned or leased by city, town, village district, or federal fire departments, forestry departments, or emergency medical departments, or emergency response vehicles owned or leased by a private ambulance service contracted with a city, town, or village district and vehicles privately owned or leased by sworn law enforcement officers when authorized by their department heads. When blue colored lights are installed on a private vehicle owned by or leased to a law enforcement officer, such lights shall be covered when the vehicle is being driven by someone other than a law enforcement officer. A blue colored light installed on emergency response vehicles other than those vehicles used by a sworn law enforcement officer, ***state probation and parole officers, and state correctional officers in the performance of their official duties*** shall be limited to a single, rear-facing blue colored emergency light on each vehicle. A private ambulance service that is no longer contracted with a city, town, or village district shall remove the single rear-facing blue colored light upon the expiration of the contract.

156:4 Motor Vehicles; Equipment of Vehicles; Additional Lights Approved for Police, Fire, State Department of Corrections, and Rescue Vehicles. Amend RSA 266:78-d to read as follows:

266:78-d Additional Lights Approved for Police, Fire, ***State Department of Corrections***, and Rescue Vehicles. Police, fire, ***state department of corrections***, and emergency medical response vehicles, in addition to but not in place of the lights authorized by RSA 266:78-b and RSA 266:78-c, may be equipped with light bars containing one or more amber warning lights or amber arrow boards.

156:5 Motor Vehicles; Equipment of Vehicles; Other Flashing Lamps Prohibited. Amend RSA 266:78-e to read as follows:

266:78-e Other Flashing Lamps Prohibited. Only authorized emergency vehicles, including law enforcement, fire, ***state department of corrections***, and emergency medical services vehicles, state department of transportation vehicles engaged in construction or maintenance activities, and bicycles may be equipped with a device that provides for alternate flashing of headlamps.

156:6 Motor Vehicles; Equipment of Vehicles; Use of Lights by Law Enforcement and State Department of Corrections. Amend RSA 266:78-f to read as follows:

266:78-f Use of Lights by Law Enforcement ***and State Department of Corrections***. Law enforcement officers, ***state probation and parole officers, and state correctional officers in the performance of their official duties*** shall only illuminate emergency lights and warning lights when in pursuit or stopping a violator, when responding to but not returning from an emergency call for service, when conducting an escort, or when parked on or adjacent to the highway to warn other traffic of a hazard or obstruction. Except as provided for under RSA 266:78-b, II, no person other than a sworn law enforcement officer, ***state probation and parole officers, and state correctional officers in the performance of their official duties*** shall drive a vehicle with a blue light or lights in operation.

CHAPTER 156
SB 133-FN - FINAL VERSION
- Page 3 -

1 156:7 Motor Vehicles; Equipment of Vehicles; Use of Lights by Fire, State Department of
2 Corrections, and Emergency Response Personnel. Amend RSA 266:78-g to read as follows:

3 266:78-g Use of Lights by Fire, ***State Department of Corrections***, Rescue, and Emergency
4 Response Personnel. Police, fire, ambulance, ***state department of corrections***, and rescue
5 vehicles, and other vehicles authorized under RSA 266:78-c shall only illuminate emergency lights
6 and warning lights when responding to but not returning from an actual or reported emergency,
7 transporting a patient to a hospital for emergency treatment, or when parked at the scene of an
8 emergency for purposes of warning approaching traffic. Fire apparatus and ambulances may also
9 illuminate emergency lights and warning lights while parking or backing the vehicle to access a
10 garage housing the apparatus or when serving as a mobile command post to designate the location of
11 the command post. No persons other than emergency response personnel shall drive a vehicle with
12 red emergency lights in operation.

13 156:8 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 01, 2019
Effective Date: August 30, 2019