

HOUSE BILL 106

R6, R5

8lr0992

By: **Delegate Busch**

Introduced and read first time: January 12, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Emergency Vehicles – Organ Delivery Vehicles**

3 FOR the purpose of altering the definition of “emergency vehicle” to include certain organ
4 delivery vehicles; authorizing the Motor Vehicle Administration to designate an
5 organ delivery vehicle as an emergency vehicle only under certain circumstances;
6 authorizing the driver of an emergency vehicle to exercise certain privileges while
7 transporting, under certain circumstances, human organs or medical personnel;
8 prohibiting a person from exercising certain privileges while operating an organ
9 delivery vehicle unless the person has a certain certification; authorizing organ
10 delivery vehicles to be equipped with certain lights or signal devices; defining a
11 certain term; making certain conforming changes; making a certain stylistic change;
12 and generally relating to emergency organ delivery vehicles.

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 11–118, 21–106, and 22–218(c)(1) and (4)
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2017 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 11–142.1 and 22–218(c)(13)
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2017 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – Transportation**

26 11–118.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 “Emergency vehicle” means any of the following vehicles that are designated by the
2 Administration as entitled to the exemptions and privileges set forth in the Maryland
3 Vehicle Law for emergency vehicles:

4 (1) Vehicles of federal, State, or local law enforcement agencies;

5 (2) Vehicles of volunteer fire companies, rescue squads, fire departments,
6 the Maryland Institute for Emergency Medical Services Systems, and the Maryland Fire
7 and Rescue Institute;

8 (3) State vehicles used in response to oil or hazardous materials spills;

9 (4) State vehicles designated for emergency use by the Commissioner of
10 Correction;

11 (5) Ambulances; [and]

12 **(6) ORGAN DELIVERY VEHICLES; AND**

13 **[(6)] (7)** Special vehicles funded or provided by federal, State, or local
14 government and used for emergency or rescue purposes in this State.

15 **11-142.1.**

16 **“ORGAN DELIVERY VEHICLE” MEANS A VEHICLE THAT IS USED OR**
17 **MAINTAINED TO TRANSPORT ORGANS ON AN EMERGENCY BASIS.**

18 21-106.

19 (a) Subject to the conditions stated in this section:

20 (1) The driver of an emergency vehicle registered in any state may exercise
21 the privileges set forth in this section while:

22 (i) Responding to an emergency call;

23 (ii) Pursuing a violator or suspected violator of the law; [or]

24 (iii) Responding to, but not while returning from, a fire alarm;

25 **(IV) TRANSPORTING ON AN EMERGENCY BASIS A HUMAN ORGAN**
26 **FOR TRANSPLANTATION; OR**

27 **(V) TRANSPORTING MEDICAL PERSONNEL ON AN EMERGENCY**
28 **BASES FOR THE PURPOSE OF PERFORMING HUMAN ORGAN RECOVERY OR**

1 **TRANSPLANTATION; [and]**

2 (2) The driver of an emergency vehicle registered in the State or a local
3 jurisdiction in the State may exercise the privileges set forth in this section while
4 performing motorcade or escort duty if the motorcade or escort duty involves:

5 (i) Homeland security;

6 (ii) A funeral;

7 (iii) A dignitary; or

8 (iv) Facilitating the safe movement of vehicles or pedestrians that
9 are or will be near the motorcade or escort; **AND**

10 **(3) (I) THE ADMINISTRATION MAY DESIGNATE AN ORGAN**
11 **DELIVERY VEHICLE AS AN EMERGENCY VEHICLE ONLY IF IT IS REGISTERED TO A**
12 **FEDERALLY DESIGNATED ORGAN PROCUREMENT ORGANIZATION OR AN ORGAN**
13 **PROFESSIONAL THERAPY TRANSPORTATION ORGANIZATION.**

14 **(II) A PERSON MAY NOT EXERCISE THE PRIVILEGES**
15 **AUTHORIZED UNDER THIS SECTION WHILE OPERATING AN ORGAN DELIVERY**
16 **VEHICLE UNLESS THE PERSON IS CERTIFIED TO OPERATE EMERGENCY VEHICLES**
17 **THROUGH COMPLETION OF AN EMERGENCY VEHICLE OPERATOR COURSE**
18 **APPROVED BY THE MARYLAND FIRE AND RESCUE INSTITUTE.**

19 (b) Under the circumstances stated in subsection (a) of this section, the driver of
20 an emergency vehicle may:

21 (1) Park or stand without regard to the other provisions of this title;

22 (2) Pass a red or stop signal, a stop sign, or a yield sign, but only after
23 slowing down as necessary for safety;

24 (3) Exceed any maximum speed limit, but only so long as the driver does
25 not endanger life or property;

26 (4) Disregard any traffic control device or regulation governing direction of
27 movement or turning in a specified direction; and

28 (5) Travel through any local jurisdiction in the State as necessary to
29 perform and return from motorcade or escort duty.

30 (c) (1) Subject to paragraph (2) of this subsection, the privileges set forth in
31 this section apply only while the emergency vehicle is using audible and visual signals that
32 meet the requirements of § 22-218 of this article, except that an emergency vehicle

1 operated as a police vehicle need not be equipped with or display the visual signals.

2 (2) The privileges set forth in subsection (b)(1) of this section apply only
3 while the emergency vehicle is using visual signals that meet the requirements of § 22–218
4 of this article.

5 (3) (i) The driver of an emergency vehicle may not use flashing lights
6 or a bell, siren, or exhaust whistle while returning from an emergency call, fire alarm, or
7 motorcade or escort, except that fire apparatus carrying standing firemen may use flashing
8 lights that are visible only to the rear.

9 (ii) The driver of an emergency vehicle, while parking or backing the
10 emergency vehicle, may use flashing lights within 100 feet of the entrance ramp to a:

11 1. Fire station; or

12 2. Rescue station.

13 (4) Before exercising the privileges set forth in subsection (b)(5) of this
14 section, the jurisdiction that employs the driver of a motorcade or escort shall provide notice
15 of the motorcade or escort to any jurisdiction that the driver will enter while performing or
16 returning from the motorcade or escort duty.

17 (d) This section does not relieve the driver of an emergency vehicle from the duty
18 to drive with due regard for the safety of all persons.

19 22–218.

20 (c) (1) A person may not drive or move on any highway any vehicle or
21 equipment that is equipped with or displays any light or signal device designed to emit an
22 oscillating, rotating, blinking, or other type of emission of light, unless designated and
23 authorized by the Administrator as indicated in paragraphs (2) through [(12)] **(13)** of this
24 subsection. The provisions of this section do not prohibit the display and use of any lighting
25 device that may be permitted or required elsewhere in the Maryland Vehicle Law.

26 (4) Ambulances may be equipped with or display red [and/or], white, **OR**
27 **RED AND WHITE** lights or signal devices.

28 **(13) ORGAN DELIVERY VEHICLES SHALL BE EQUIPPED WITH OR**
29 **DISPLAY RED, WHITE, OR RED AND WHITE LIGHTS OR SIGNAL DEVICES.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2018.