

Personal Firefighter's Vehicles

As many issues have evolved over the issue of the volunteer firefighter's ability to exceed the speed limit posted and to use dash-mounted lights, the following are excerpts from the "Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations, 1997 Edition." This book is published by Michie and is issued by the authority of the Arkansas State Highway and Transportation Department and the Department of Finance and Administration. This is the book that the State Police and all local departments use for traffic law.

- LIGHTS** **27-36-304** Fire department vehicles and ambulances.
- A.** All state, county, city, and municipal or privately owned fire departments, funeral homes, or ambulance companies shall install, maintain, and exhibit red rotating or flashing emergency lights upon all fire department vehicles, automobiles used by fire fighters, and ambulances which are equipped with emergency lighting and operated within Arkansas. Fire fighters shall be allowed to use portable dash mounted red rotating or flashing emergency lights on their privately owned automobiles when responding to a fire or other emergency.
- B.** Emergency medical technicians certified by the Department of Health may install, maintain, and exhibit red rotating or flashing emergency lights upon a vehicle when responding to an emergency.

- VEHICLE** **27-49-219** Vehicles
- B.** "Motor vehicles" means every vehicle which is self-propelled and every vehicle which is propelled by electric power and obtained from overhead trolley wires but not operated upon rails.
- D1.** Authorized emergency vehicle means authorized emergency vehicles which shall include:
- D1b.** Motor vehicles used by state, county, city, or municipal fire departments, motor vehicles owned and used by volunteer fire fighters while engaged in official duties, motor vehicles used by emergency medical technicians certified by the Department of Health or privately owned fire departments, and ambulances used solely for ambulance purposes which are approved as ambulances in accordance with state and federal highway safety standards, all of which shall be equipped with red rotating or flashing emergency lights. Flashing emergency lights shall be

used by volunteer firefighters solely while engaged in the performance of duties as volunteer fire fighters and by emergency medical technicians solely while engaged in the performance of duties with an ambulance service licensed by the Department of Health or an organized rescue squad or team;

Right Way 27-51-901 Operation of vehicles and street-cars on approach of authorized emergency vehicles.

- A. Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- B. Upon the approach of an authorized emergency vehicle, as stated in subsection (a) of this section, the motorman of every streetcar shall immediately stop the car clear of any intersection and keep it in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- C. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

LIMITS 27-51-201 Maximum and minimum speed limits-exceptions

- 2B1.** The maximum and minimum speed limits posted shall apply to all vehicles using the facility except authorized emergency vehicles on emergency trips, such as police vehicles on duty, fire vehicles on calls, and ambulances; ...(rest if for overweight/oversize vehicles)
- 2B2.** **This exemption shall not relieve any driver of an authorized emergency vehicle from his lawful responsibility to drive with due regard for the safety of all persons upon or using the highway facility, nor shall it protect the operator of any such vehicle from the consequence of a reckless disregard for the safety of others.**

N/A 27-51-202 Restrictions not applicable to emergency vehicles.

- A. The prima facie speed limitations set forth in this subchapter shall not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound an audible signal

by bell, siren, or exhaust whistle.

- B.** This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any emergency vehicle from the consequence of a reckless disregard for the safety of others.
- (c) For purposes of this section, "**emergency** calls" means legitimate **emergency** situations which call for the operation of an **emergency** vehicle, including a police vehicle.

History. Acts 1937, No. 300, § 55; Pope's Dig., § 6713; A.S.A. 1947, § 75-606; Acts 2001, No. 332, § 1; 2001, No. 1415, § 1. **Amendments.** The 2001 amendment by No. 332, added (c).

The 2001 amendment by No. 1415, substituted the present language for the former language which read: "The prima facie speed limitations set forth in this subchapter shall not apply to authorized **emergency** vehicles when responding to **emergency** calls and the drivers thereof sound an audible signal by bell, siren, or exhaust whistle" in (a).

HORNS

27-37-202 Horns and warning devices – Flashing lights on E.V.

- 3A.** Every authorized emergency vehicle shall be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet (500') and of a type approved by the department.
- 3B.** This warning device shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law; in which event, the driver of the vehicle shall sound the warning device when necessary to warn pedestrians and other drivers of the approach thereof.

STOPPING 27-49-109 Drivers of authorized emergency vehicles.

- A.** The driver of any authorized emergency vehicle when responding to an emergency call upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety but may proceed cautiously past the red or stop sign or signal. At other times, drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal.
- B.** No driver of any authorized emergency vehicle shall assume any

special privilege under this act except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law.