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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2216

03/07/2017 Authored by Franson The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act
1.2 relating to public safety; requiring vehicles to reduce speed when approaching and
1.3 passing certain vehicles parked or stopped on streets and highways; modifying a
1.4 civil penalty; amending Minnesota Statutes 2016, sections 169.14, subdivision 3;
1.5 169.18, subdivisions 11, 12.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 169.14, subdivision 3, is amended to read:

1.8 Subd. 3. Reduced speed required. (a) The driver of any a vehicle shall must, consistent
1.9 with the requirements under section 169.18, subdivisions 11 and 12, and subject to any
1.10 other applicable requirements under this chapter, drive at an appropriate reduced reduce
1.11 speed so that the vehicle's speed is at least 20 miles per hour slower than the posted speed
1.12 limit when: (1) approaching or passing an authorized emergency vehicle stopped with
1.13 emergency lights flashing on any street or highway, when; (2) approaching and crossing an
1.14 intersection or railway grade crossing, when approaching and going around a curve, when;
1.15 (3) approaching a hill crest, when; (4) traveling upon any narrow or winding roadway; and
1.16 when (5) special hazards exist with respect to pedestrians or other traffic, or by reason of
1.17 weather or highway conditions.

1.18 (b) A person who fails to reduce speed appropriately when approaching or passing an
1.19 authorized emergency vehicle stopped with emergency lights flashing on a street or highway
1.20 shall be assessed an additional surcharge equal to the amount of the fine imposed for the
1.21 speed violation, but not less than \$25 is subject to the penalty provided under subdivision
1.22 1a.

1.23 EFFECTIVE DATE. This section is effective August 1, 2017, and applies to violations
1.24 committed on or after that date.

2.1 Sec. 2. Minnesota Statutes 2016, section 169.18, subdivision 11, is amended to read:

2.2 Subd. 11. **Passing parked emergency vehicle; citation; probable cause.** (a) When
2.3 approaching and before passing an authorized emergency vehicle with its emergency lights
2.4 activated that is parked or otherwise stopped on or next to a street or highway having two
2.5 lanes in the same direction, the driver of a vehicle shall safely move the vehicle to the lane
2.6 farthest away from the emergency vehicle, if it is possible to do so.

2.7 (b) When approaching and before passing an authorized emergency vehicle with its
2.8 emergency lights activated that is parked or otherwise stopped on or next to a street or
2.9 highway having more than two lanes in the same direction, the driver of a vehicle shall
2.10 safely move the vehicle so as to leave a full lane vacant between the driver and any lane in
2.11 which the emergency vehicle is completely or partially parked or otherwise stopped, if it is
2.12 possible to do so.

2.13 (c) When approaching and before passing an authorized emergency vehicle with its
2.14 emergency lights activated that is parked or otherwise stopped on or next to a street or
2.15 highway, the driver of the vehicle must reduce speed so that the vehicle's speed is at least
2.16 20 miles per hour slower than the posted speed limit.

2.17 ~~(e)~~ (d) A peace officer may issue a citation to the driver of a motor vehicle if the peace
2.18 officer has probable cause to believe that the driver has operated the vehicle in violation of
2.19 this subdivision within the four-hour period following the termination of the incident or a
2.20 receipt of a report under paragraph ~~(d)~~ (e). The citation may be issued even though the
2.21 violation was not committed in the presence of the peace officer.

2.22 ~~(d)~~ (e) Although probable cause may be otherwise satisfied by other evidentiary elements
2.23 or factors, probable cause is sufficient for purposes of this subdivision when the person
2.24 cited is operating the vehicle described by a member of the crew of an authorized emergency
2.25 vehicle responding to an incident in a timely report of the violation of this subdivision,
2.26 which includes a description of the vehicle used to commit the offense and the vehicle's
2.27 license plate number. For the purposes of issuance of a citation under paragraph ~~(e)~~ (d),
2.28 "timely" means that the report must be made within a four-hour period following the
2.29 termination of the incident.

2.30 ~~(e)~~ (f) For purposes of paragraphs (a) ~~and (b)~~ to (c) only, the terms "authorized emergency
2.31 vehicle" and "emergency vehicle" include a towing vehicle defined in section 168B.011,
2.32 subdivision 12a, that has activated flashing lights authorized under section 169.64,
2.33 subdivision 3, in addition to the vehicles described in the definition for "authorized
2.34 emergency vehicle" in section 169.011, subdivision 3.

3.1 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to violations
3.2 committed on or after that date.

3.3 Sec. 3. Minnesota Statutes 2016, section 169.18, subdivision 12, is amended to read:

3.4 Subd. 12. **Passing certain parked vehicles.** (a) When approaching and before passing
3.5 a freeway service patrol vehicle, road maintenance vehicle, utility company vehicle, or
3.6 construction vehicle with its warning lights activated that is parked or otherwise stopped
3.7 on or next to a street or highway having two lanes in the same direction, the driver of a
3.8 vehicle shall safely move the vehicle to the lane farthest away from the parked or stopped
3.9 vehicle, if it is possible to do so.

3.10 (b) When approaching and before passing a freeway service patrol vehicle, road
3.11 maintenance vehicle, utility company vehicle, or construction vehicle with its warning lights
3.12 activated that is parked or otherwise stopped on or next to a street or highway having more
3.13 than two lanes in the same direction, the driver of a vehicle shall safely move the vehicle
3.14 so as to leave a full lane vacant between the driver and any lane in which the vehicle is
3.15 completely or partially parked or otherwise stopped, if it is possible to do so.

3.16 (c) When approaching and before passing a freeway service patrol vehicle, road
3.17 maintenance vehicle, utility company vehicle, or construction vehicle with its warning lights
3.18 activated that is parked or otherwise stopped on or next to a street or highway, the driver
3.19 of the vehicle must reduce speed so that the vehicle's speed is at least 20 miles per hour
3.20 slower than the posted speed limit.

3.21 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to violations
3.22 committed on or after that date.