

# TITLE XXI MOTOR VEHICLES

## CHAPTER 265 RULES OF THE ROAD

### Obedience to and Effect of Traffic Laws

#### Section 265:8

##### **265:8 Emergency Vehicles. –**

I. A person driving an emergency vehicle, as defined in RSA 259:28, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

II. (a) The driver of an emergency vehicle may:

(1) Park or stand notwithstanding the provisions of Title XXI.

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

(3) Exceed the maximum speed limits so long as he does not endanger life or property.

(4) Disregard rules governing direction of movement or turning in specified directions.

(b) Notwithstanding subparagraph II(a), any emergency vehicle approaching a school bus, which is stopped for the purpose of picking up or dropping off pupils, shall come to a complete stop before proceeding.

III. (a) The exemptions granted to an emergency vehicle in subparagraphs II(a)(1) and (3) shall apply only when such vehicle is making use of audible or visual emergency signals, or, in the case of a privately-owned vehicle being driven by a volunteer firefighter or other volunteer emergency personnel, when such vehicle is making use of audible or visual emergency signals, or when an emergency vehicle is in pursuit of an actual or suspected violator of the law.

(b) The exemptions granted to an emergency vehicle in subparagraphs II(a)(2) and (4) shall apply only when such vehicle is making use of both audible and visual emergency signals, or, in the case of a privately-owned vehicle being driven by a volunteer firefighter or other volunteer emergency personnel, when such vehicle is making use of both audible and visual emergency signals, or when an emergency vehicle is in pursuit of an actual or suspected violator of the law.

IV. Any person engaged in part-time law enforcement and who uses his own vehicle shall not display driving emergency lights when not on duty.

V. The provisions of RSA 265:8, II and III shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

VI. A driver of a vehicle being driven on the ways of this state upon the approach from any direction of an emergency vehicle with the siren or flashing light in operation shall turn immediately as far as possible toward the right-hand side of the way and shall bring his vehicle to a standstill until such emergency vehicle has passed.

VII. Upon the immediate approach of an emergency vehicle making use of an audible or visual signal, every pedestrian shall yield the right-of-way to the authorized emergency vehicle. This paragraph 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 highway, nor from the duty to exercise due care to avoid colliding with any pedestrian.

**Source.** 1939, 162:2. RL 119:20. RSA 263:40. 1955, 217:1. 1963, 330:1. RSA 262-A:7. 1977, 346:1. 1979, 443:1. 1981, 146:1; 322:1; 322:2; 479:29, 96:1, eff. Jan. 1, 1998.