

# Emergency Vehicle Approach



## Montana Code Annotated 2017

### TITLE 61. MOTOR VEHICLES

#### CHAPTER 8. TRAFFIC REGULATION

### Part 3. Vehicle Operating Requirements

#### Operation Of Vehicles On Approach Of Authorized Emergency Vehicles Or Police Vehicles — Approaching Stationary Emergency Vehicles Or Police Vehicles

61-8-346. Operation of vehicles on approach of authorized emergency vehicles or police vehicles — approaching stationary emergency vehicles or police vehicles. (1) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of [61-9-402](#) or of a police vehicle properly and lawfully making use of an audible signal only, the operator 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 roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle or police vehicle has passed, except when otherwise directed by a police officer or highway patrol officer.

(2) This section does not relieve the driver of an authorized emergency vehicle or police vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(3) Except as provided in subsection (4), upon approaching a stationary authorized emergency vehicle or police vehicle that is displaying visible signals of flashing or rotating amber, blue, red, or green lights, the operator of the approaching vehicle shall:

(a) reduce the vehicle's speed, proceed with caution, and, if possible considering safety and traffic conditions, move to a lane that is not adjacent to the lane in which the authorized emergency vehicle or police vehicle is located or move as far away from the authorized emergency vehicle or police vehicle as possible; or

(b) if changing lanes is not possible or is determined to be unsafe, reduce the vehicle's speed, proceed with caution, and maintain a reduced speed, appropriate to the road and the conditions, through the area where the authorized emergency vehicle or police vehicle is stopped.

(4) Upon approaching a stationary authorized emergency vehicle or police vehicle that is displaying visible signals of flashing or rotating amber, blue, red, or green lights on a public highway with a posted speed limit of 50 miles per hour or greater when driving in a lane that is directly next to the emergency vehicle or police vehicle, the operator of the approaching vehicle shall reduce the vehicle's speed by at least 20 miles per hour below the posted speed limit.

History: En. Sec. 72, Ch. 263, L. 1955; amd. Sec. 4, Ch. 169, L. 1957; amd. Sec. 3, Ch. 153, L. 1975; R.C.M. 1947, 32-2175; amd. Sec. 1, Ch. 217, L. 1989; amd. Sec. 1, Ch. 157, L. 2001; amd. Sec. 28, Ch. 352, L. 2003; amd. Sec. 1, Ch. 520, L. 2007.