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# HOUSE BILL No. 1623

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-13-2-92.2; IC 9-21-1-8.

**Synopsis:** Operation of emergency vehicles. Allows a person who drives an authorized emergency vehicle to execute a lawful intervention technique involving a fleeing motor vehicle under certain circumstances.

**Effective:** July 1, 2009.

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### Neese, Tincher

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January 16, 2009, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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# HOUSE BILL No. 1623



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 9-13-2-92.2 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2009]: **Sec. 92.2. "Lawful intervention technique", for purposes**
- 4 **of IC 9-21-1, means a method by which a pursuing motor vehicle**
- 5 **causes, or attempts to cause, a fleeing motor vehicle to stop. The**
- 6 **term includes a precision immobilization technique (PIT)**
- 7 **maneuver.**
- 8 SECTION 2. IC 9-21-1-8 IS AMENDED TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) This section applies to the
- 10 person who drives an authorized emergency vehicle when:
- 11 (1) responding to an emergency call;
- 12 (2) in the pursuit of an actual or suspected violator of the law; or
- 13 (3) responding to, but not upon returning from, a fire alarm.
- 14 (b) The person who drives an authorized emergency vehicle may do
- 15 the following:
- 16 (1) Park or stand, notwithstanding other provisions of this article.
- 17 (2) Proceed past a red or stop signal or stop sign, but only after



- 1 slowing down as necessary for safe operation.
- 2 (3) Exceed the maximum speed limits if the person who drives the
- 3 vehicle does not endanger life or property.
- 4 (4) Disregard regulations governing direction of movement or
- 5 turning in specified directions.
- 6 **(5) Execute a lawful intervention technique if the person has**
- 7 **completed a training course that:**
- 8 **(A) instructs participants in the proper execution of lawful**
- 9 **intervention techniques; and**
- 10 **(B) is approved by the bureau.**
- 11 (c) This section applies to an authorized emergency vehicle only
- 12 when the vehicle is using audible or visual signals as required by law.
- 13 An authorized emergency vehicle operated as a police vehicle is not
- 14 required to be equipped with or display red and blue lights visible from
- 15 in front of the vehicle.
- 16 (d) This section does not do the following:
- 17 (1) Relieve the person who drives an authorized emergency
- 18 vehicle from the duty to drive with due regard for the safety of all
- 19 persons.
- 20 (2) Protect the person who drives an authorized emergency
- 21 vehicle from the consequences of the person's reckless disregard
- 22 for the safety of others.

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