

## DOT Laws for 50 states with regards to “Move Over” laws

### #1: California

For a moving emergency vehicle:

“21806.

Upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, under normal atmospheric conditions, from a distance of 1,000 feet to the front of the vehicle, the surrounding traffic shall, except as otherwise directed by a traffic officer, do the following:

(a) (1) Except as required under paragraph (2), the driver of every other vehicle shall yield the right-of-way and shall immediately drive to the right-hand edge or curb of the highway, clear of any intersection, and thereupon shall stop and remain stopped until the authorized emergency vehicle has passed.

(2) A person driving a vehicle in an exclusive or preferential use lane shall exit that lane immediately upon determining that the exit can be accomplished with reasonable safety.

(b) The operator of every street car shall immediately stop the street car, clear of any intersection, and remain stopped until the authorized emergency vehicle has passed.

(c) All pedestrians upon the highway shall proceed to the nearest curb or place of safety and remain there until the authorized emergency vehicle has passed.”

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=VEH&sectionNum=21806](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=VEH&sectionNum=21806) CVC 21806

For a stationary emergency vehicle:

“(a) A person driving a vehicle on a highway approaching a stationary authorized emergency vehicle that is displaying emergency lights, a stationary tow truck that is displaying flashing amber warning lights, or a stationary marked Department of Transportation vehicle that is displaying flashing amber warning lights, shall approach with due caution and, before passing in a lane immediately adjacent to the authorized emergency vehicle, tow truck, or Department of Transportation vehicle, absent other direction by a peace officer, proceed to do one of the following:

(1) Make a lane change into an available lane not immediately adjacent to the authorized emergency vehicle, tow truck, or Department of Transportation vehicle, with due regard for safety and traffic conditions, if practicable and not prohibited by law.

(2) If the maneuver described in paragraph (1) would be unsafe or impracticable, slow to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions.

(b) A violation of subdivision (a) is an infraction, punishable by a fine of not more than fifty dollars (\$50).

(c) The requirements of subdivision (a) do not apply if the stationary authorized emergency vehicle that is displaying emergency lights, the stationary tow truck that is displaying flashing amber warning lights, or the stationary marked Department of Transportation vehicle that is displaying flashing amber warning lights is not adjacent to the highway or is separated from the highway by a protective physical barrier.”

(<https://codes.findlaw.com/ca/vehicle-code/veh-sect-21809/>)

### #2: Texas

“(a)

This section applies only to:

(1)

an authorized emergency vehicle using audible and visual signals that meet the requirements of Sections 547.305 (Restrictions on Use of Lights) and 547.702 (Additional Equipment Requirements for Authorized Emergency Vehicles);

(2)

a medical examiner vehicle, as defined by Section 547.751 (Additional Lighting Equipment Authorized for Medical Examiner Vehicles), lawfully using a visual signal in accordance with that section;

(3)

a vehicle operated by a justice of the peace for a purpose described by Section 547.752 (Additional Lighting Equipment Authorized for Vehicles Operated by Justices of the Peace in Certain Circumstances) and lawfully using a visual signal in accordance with that section; and

(4)

a police vehicle lawfully using only an audible or visual signal.

(a-1)

On the immediate approach of a vehicle described by Subsection (a), an operator, unless otherwise directed by a police officer, shall:

(1)

yield the right-of-way;

(2)

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

(3)

stop and remain standing until the authorized emergency vehicle has passed.”

([https://texas.public.law/statutes/tex.\\_transp.\\_code\\_section\\_545.156](https://texas.public.law/statutes/tex._transp._code_section_545.156)) Section 545.156 of Texas Transportation Code

For stationary emergency vehicles:

“

(a) This section applies only to the following vehicles:

(1) a stationary authorized emergency vehicle using visual signals that meet the requirements of Sections 547.305 and 547.702;

(2) a stationary tow truck using equipment authorized by Section 547.305(d);

(3) a Texas Department of Transportation vehicle or a highway maintenance or construction vehicle operated pursuant to a contract awarded under Subchapter A, Chapter 223, not separated from the roadway by a traffic control channelizing device and using visual signals that comply with the standards and specifications adopted under Section 547.105;

(4) a service vehicle used by or for a utility, as defined by Section 203.091, and using visual signals that comply with the standards and specifications adopted under Section 547.105; and

(5) a stationary vehicle used exclusively to transport municipal solid waste, as defined by Section 361.003, Health and Safety Code, or recyclable material, as defined by Section 361.421, Health and Safety Code, while being operated in connection with the removal or transportation of municipal solid waste or recyclable material from a location adjacent to the highway.

(b) On approaching a vehicle described by Subsection (a), an operator, unless otherwise directed by a police officer, shall:

(1) vacate the lane closest to the vehicle when driving on a highway with two or more lanes traveling in the direction of the vehicle; or

(2) slow to a speed not to exceed:

(A) 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or more; or

(B) five miles per hour when the posted speed limit is less than 25 miles per hour.”

(<https://codes.findlaw.com/tx/transportation-code/transp-sect-545-157/>) Texas Transportation Code 545.157

#3: Florida

“316.126 Operation of vehicles and actions of pedestrians; approach of authorized emergency, sanitation, or utility service vehicle, wrecker, or road and bridge maintenance or construction vehicle; presence of disabled motor vehicle.—

(1)(a) Upon the immediate approach of an authorized emergency vehicle, while en route to meet an existing emergency, the driver of every other vehicle shall, when such emergency vehicle is giving audible signals by siren, exhaust whistle, or other adequate device, or visible signals by the use of displayed blue or red lights, yield the right-of-way to the emergency vehicle and shall immediately proceed to a position parallel to, and as close as reasonable to the closest edge of the curb of the roadway, clear of any intersection and shall stop and remain in position until the authorized emergency vehicle has passed, unless otherwise directed by a law enforcement officer.

(b) If an authorized emergency vehicle displaying any visual signals is parked on the roadside, a sanitation vehicle is performing a task related to the provision of sanitation services on the roadside, a utility service vehicle is performing a task related to the provision of utility services on the roadside, a wrecker displaying amber rotating or flashing lights is performing a recovery or loading on the roadside, a road and bridge maintenance or construction vehicle displaying warning lights is on the roadside without advance signs and channelizing devices, or a disabled motor vehicle is stopped and is displaying warning lights or hazard lights; is stopped and is using emergency flares or posting emergency signage; or is stopped and one or more persons are visibly present, the driver of every other vehicle, as soon as it is safe:

1. Shall vacate the lane closest to the emergency vehicle, sanitation vehicle, utility service vehicle, wrecker, road and bridge maintenance or construction vehicle, or disabled motor

vehicle when driving on an interstate highway or other highway with two or more lanes traveling in the direction of the emergency vehicle, sanitation vehicle, utility service vehicle, wrecker, road and bridge maintenance or construction vehicle, or disabled motor vehicle except when otherwise directed by a law enforcement officer. If such movement cannot be safely accomplished, the driver shall reduce speed as provided in subparagraph 2.

2. Shall slow to a speed that is 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or greater; or travel at 5 miles per hour when the posted speed limit is 20 miles per hour or less, when driving on a two-lane road, except when otherwise directed by a law enforcement officer.”

([http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0300-0399/0316/Sections/0316.126.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0316/Sections/0316.126.html))

#4: Georgia

“(a) Upon the immediate approach of an authorized emergency vehicle or a vehicle belonging to a federal, state, or local law enforcement agency making use of an audible signal and visual signals meeting the requirements of Code Section 40-6-6, 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 roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle or law enforcement vehicle has passed, except when otherwise directed by a police officer.

(b) This Code section shall not operate to relieve the driver of any authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.”

(<https://law.justia.com/codes/georgia/2022/title-40/chapter-6/article-4/section-40-6-74/>) O.C.G.A. Section 40-6-74

For stationary emergency vehicles

“A. The operator of a motor vehicle approaching a stationary authorized emergency vehicle that is displaying flashing yellow, amber, white, red, or blue lights shall approach the authorized emergency vehicle with due caution and shall, absent any other direction by a peace officer, proceed as follows:

1. Make a lane change into a lane not adjacent to the authorized emergency vehicle if possible in the existing safety and traffic conditions; or
2. If a lane change under paragraph (1) of this subsection would be impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

B. The operator of a motor vehicle approaching a stationary towing or recovery vehicle or a stationary highway maintenance vehicle that is displaying flashing yellow, amber, or red lights shall approach the vehicle with due caution and shall, absent any other direction by a peace officer, proceed as follows:

1. Make a lane change into a lane not adjacent to the towing, recovery, or highway maintenance vehicle if possible in the existing safety and traffic conditions; or
2. If a lane change under paragraph (1) of this subsection would be impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

C . Violation of subsection (a) or (b) of this Code section shall be punished by a fine of not more than \$500.00.” (<https://www.gahighwaysafety.org/move-over-law/>) O.C.G.A. Section 40-6-16

#5: New York

“(a)

Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle other than a police vehicle or bicycle when operated as an authorized emergency vehicle, and when audible signals are sounded from any said vehicle by siren, exhaust whistle, bell, air-horn or electronic equivalent; 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 roadway, or to either edge of a one-way roadway three or more lanes in width, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, unless otherwise directed by a police officer.

(b)

This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with reasonable care for all persons using the highway.”

([https://newyork.public.law/laws/n.y.\\_vehicle\\_and\\_traffic\\_law\\_section\\_1144](https://newyork.public.law/laws/n.y._vehicle_and_traffic_law_section_1144)) N.Y. VTL 1144

For stationary emergency vehicles:

“Every operator of a motor vehicle shall exercise due care to avoid colliding with an authorized emergency vehicle which is parked, stopped or standing on the shoulder or any portion of such highway and such authorized emergency vehicle is displaying one or more red or combination red and white lights pursuant to the provisions of paragraph two of subdivision forty-one of section three hundred seventy-five of this chapter or is displaying one or more blue, combination blue and red or combination blue, red and white lights pursuant to the provisions of subparagraph b of paragraph four of subdivision forty-one of section three hundred seventy-five of this chapter. For operators of motor vehicles on parkways or controlled access highways, such due care shall include, but not be limited to, moving from a lane which contains or is immediately adjacent to the shoulder where such authorized emergency vehicle displaying one or more red, blue or white or any combination of red and white lights or blue or combination blue and red or combination blue, red and white lights pursuant to the provisions of paragraph two or subparagraph b of paragraph four, as applicable of subdivision forty-one of section three hundred seventy-five of this chapter is parked, stopped or standing to another lane, provided that such movement otherwise complies with the requirements of this chapter including, but not limited to, the provisions of sections eleven hundred ten of this title and eleven hundred twenty-eight of this title.”

(<https://traffictickets.com/new-york/traffic-tickets/move-over-law-1144-aa/>) N.Y. VTL 1144-a(a)

#6: Alabama

For Moving Vehicles:

“(a) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp and audible signal as is required by law, 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 roadway 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) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with regard for the safety of all persons using the highways.

(c) Authorized emergency vehicles shall be equipped with at least one lighted lamp exhibiting a colored light as hereinafter provided visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and a siren, exhaust whistle, or bell capable of giving an audible signal. The color of the lighted lamp exhibited by police vehicles may be red or blue and the color of the lighted lamp exhibited by the fire department and other authorized emergency vehicles, including ambulances, shall be red. No vehicle other than a police vehicle will use a blue light. An amber or yellow light may be installed on any vehicle or class of vehicles designated by the Director of Public Safety, but such light shall serve as a warning or caution light only, and shall not cause other vehicles to yield the right-of-way. This provision shall not operate to relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor shall it protect the driver of any such vehicle from the consequences of an arbitrary exercise of such right-of-way."

<https://codes.findlaw.com/al/title-32-motor-vehicles-and-traffic/al-code-sect-32-5a-115/>

Alabama Code 32-5A-115

For stationary vehicles

"(a) This section shall be known as the "Alabama Move Over Act."

(b)(1) When an authorized law enforcement vehicle or emergency vehicle making use of any visual signals is parked, when a wrecker displaying amber rotating or flashing lights is performing a recovery or loading on the roadside, when a utility service vehicle operated by or on behalf of an entity providing utility services displaying any rotating lights, flashing lights, or other visual signals is parked on the roadside while performing tasks associated with the provision of utility services, when a vehicle displaying flashing lights is parked or engaged in the performance of official duties on or along a road, or when a garbage, trash, refuse, or recycling collection vehicle is actively collecting garbage, trash, refuse, or recycling materials on the roadside, the driver of every other vehicle, as soon as it is safe, shall do the following:

a. When driving on an interstate highway or other highway with two or more lanes traveling in the direction of the law enforcement vehicle, emergency vehicle, wrecker, utility service vehicle, vehicle displaying flashing lights, or garbage, trash, refuse, or recycling collection vehicle, the driver shall vacate the lane closest to the law enforcement vehicle, emergency vehicle, wrecker, utility service vehicle, vehicle displaying flashing lights, or garbage, trash, refuse, or recycling collection vehicle, unless otherwise directed by a law enforcement officer. If it is not safe to move over, the driver shall slow to a speed that is at least 15 miles per hour less than the posted speed limit unless otherwise directed by a law enforcement officer.

b. When driving on a two-lane road, the driver shall move as far away from the law enforcement vehicle, emergency vehicle, wrecker, utility service vehicle, vehicle displaying flashing lights, or garbage, trash, refuse, or recycling collection vehicle as possible within his or her lane and slow to a speed that is 15 miles per hour less than the posted speed limit when the posted speed

limit is 25 miles per hour or greater or travel at 10 miles per hour when the posted speed limit is 20 miles per hour or less, unless otherwise directed by a law enforcement officer.

(2) A violation of this subsection is a misdemeanor punishable by a fine of twenty-five dollars (\$25). Upon a second violation of this subsection, the fine shall be fifty dollars (\$50). Upon a third or subsequent violation, the fine shall be one hundred dollars (\$100).

(c)(1) The Alabama State Law Enforcement Agency shall provide an educational awareness campaign informing the motoring public about this section. The agency shall provide information about this section in all newly printed driver's license educational materials after January 1, 2010.

(2) 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 highway.”

(<https://www.alea.gov/dps/highway-patrol/alabama-move-over-act>) Alabama Code Section 32-5A-58.2

## 7. Washington D.C.

There is no “move over” law

## 8. South Carolina

Stationary Emergency Vehicles:

### “**SECTION 56-5-1538.** Emergency scene management; definitions

(A) An emergency scene is a location designated by the potential need to provide emergency medical care and is identified by emergency vehicles with flashing lights, rescue equipment, or emergency personnel on the scene.

(B) An emergency scene is a special hazard.

(C) An emergency scene is under the authority of the first arriving emergency personnel, which includes emergency medical services personnel, until the arrival of the fire or law enforcement officials having jurisdiction. All motor vehicles passing through an emergency scene and pedestrians observing an emergency scene must obey and not interfere with the duties of emergency personnel. Motor vehicles and bystanders may not block access to or exit from an emergency scene.

(D) The management authority of emergency medical services is limited to managing patient care and preventing further injury to the patients and on-scene personnel. This authority may be delegated by emergency personnel to provide an adequate level of safety.

(E) A paid or volunteer worker at an emergency scene has proper authority to be at and control the scene in a manner consistent with his training.

(F) The driver of a vehicle shall ensure that the vehicle is kept under control when approaching or passing an emergency scene or authorized emergency vehicle stopped on or



near the right-of-way of a street or highway with emergency lights flashing. The exercise of control required for a driver to comply with this section is that control possible and necessary by the driver to prevent a collision, to prevent injury to persons or property, and to avoid interference with the performance of emergency duties by emergency personnel.

(G) A person driving a vehicle approaching a stationary authorized emergency vehicle that is giving a signal by displaying alternately flashing red, red and white, blue, or red and blue lights, or amber or yellow warning lights shall proceed with due caution, significantly reduce the speed of the vehicle, and:

(1) yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) maintain a safe speed for road conditions, if changing lanes is impossible or unsafe.

(H) A person who violates the provisions of this section is guilty of the misdemeanor of endangering emergency services personnel and, upon conviction, must be fined not less than three hundred dollars nor more than five hundred dollars.

(I) For purposes of this section:

(1) "Authorized emergency vehicle" means any ambulance, police, fire, rescue, recovery, or towing vehicle authorized by this State, county, or municipality to respond to a traffic incident.

(2) "Emergency services personnel" means fire, police, or emergency medical services personnel (EMS) responding to an emergency incident."

<https://www.scstatehouse.gov/code/t56c005.php>)

#9: North Carolina

Moving Emergency Vehicles:

“(a) Upon the approach of any law enforcement or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle, or a vehicle operated by the Division of Marine Fisheries of the Department of Environmental Quality, or the Division of Parks and Recreation of the Department of Natural and Cultural Resources, or the North Carolina Forest Service of the Department of Agriculture and Consumer Services when traveling in response to a fire alarm or other emergency response purpose, giving warning signal by appropriate light and by audible bell, siren or exhaust whistle, audible under normal conditions from a distance not less than 1000 feet, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb, clear of any intersection of streets or highways, and shall stop and remain in such position unless otherwise directed by a law enforcement or traffic officer until the law enforcement or fire department vehicle, or the vehicle operated by the Division of Marine Fisheries of the Department of Environmental Quality, or the Division of Parks and Recreation of the Department of Natural and Cultural Resources, or the North Carolina Forest Service of the Department of Agriculture and Consumer Services, or the public or private ambulance or rescue squad emergency service vehicle shall have passed.



Provided, however, this subsection shall not apply to vehicles traveling in the opposite direction of the vehicles herein enumerated when traveling on a four-lane limited access highway with a median divider dividing the highway for vehicles traveling in opposite directions, and provided further that the violation of this subsection shall be negligence per se. Violation of this subsection is a Class 2 misdemeanor.”

([https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter\\_20/gs\\_20-157.html](https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_20/gs_20-157.html))

G.S. 20-157

### Stationary Emergency Vehicles

“(f) When an authorized emergency vehicle listed in subsection (a) of this section, or a public service vehicle, is parked or standing within 12 feet of a roadway and giving a warning signal by appropriate light, the driver of every other approaching vehicle shall, as soon as it is safe and when not otherwise directed by an individual lawfully directing traffic, do one of the following:

(1) Move the vehicle into a lane that is not the lane nearest to the parked or standing authorized emergency vehicle or public service vehicle and continue traveling in that lane until safely clear of the authorized emergency vehicle or public service vehicle. This subdivision applies only if the roadway has at least two lanes for traffic proceeding in the direction of the approaching vehicle and if the approaching vehicle may change lanes safely and without interfering with any vehicular traffic.

(2) Slow the vehicle, maintaining a safe speed for traffic conditions, and operate the vehicle at a reduced speed and be prepared to stop until completely past the authorized emergency vehicle or public service vehicle. This subdivision applies only if the roadway has only one lane for traffic proceeding in the direction of the approaching vehicle or if the approaching vehicle may not change lanes safely and without interfering with any vehicular traffic.”

([https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter\\_20/gs\\_20-157.html](https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_20/gs_20-157.html))

G.S. 20-157

### 10. Arizona

For moving emergency vehicles:

“28-775. Authorized emergency vehicles; approaching; following fire apparatus; passing stationary vehicles; violation; civil penalties; defensive driving schools; driver license examinations

A. Except when otherwise directed by a police officer, on the immediate approach of an authorized emergency vehicle that is equipped with at least one lighted lamp exhibiting a red or red and blue light or lens visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle and that is giving an audible signal by siren, exhaust whistle or bell, the driver of another vehicle shall:

1. Yield the right-of-way.

2. 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.

3. Stop and remain in the position prescribed in paragraph 2 of this subsection until the authorized emergency vehicle has passed.

B. An authorized emergency vehicle being operated with activated emergency lights and siren is exempt from the requirements of this section.

C. The driver of a vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or drive into or park the vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

D. When a police vehicle is giving a visual signal with at least one lighted red or red and blue light or lens and is giving an audible signal by siren, the driver of another vehicle:

1. Shall not approach or drive parallel to the police vehicle.

2. Shall maintain a distance of at least three hundred feet behind any police vehicle involved in an emergency until the police vehicle moves to the lane closest to the right-hand edge or curb of the roadway." (<https://azleg.gov/ars/28/00775.htm>)

For stationary emergency vehicles:

"...E. If a person who drives a vehicle approaches a stationary vehicle and the stationary vehicle is giving a signal by displaying alternately flashing lights or is displaying warning lights, the person shall do either of the following:

1. If on a highway having at least four lanes with at least two lanes proceeding in the same direction as the approaching vehicle, proceed with due caution and if possible, with due regard to safety and traffic conditions, yield the right-of-way by making a lane change into a lane not adjacent to that of the stationary vehicle.

2. If changing lanes would be impossible or unsafe, proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions.

F. A person who violates subsection E of this section is subject to a civil penalty of \$275, except that the person is subject to:

1. A civil penalty of \$500 for a second violation within a period of five years.

2. A civil penalty of \$1,000 for a third or subsequent violation within a period of five years.

G. This section does 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.

H. Defensive driving school courses that are offered by defensive driving schools operated pursuant to chapter 8, article 7 of this title, traffic survival school and any driver education program approved by the department shall include educational information relating to subsections D and E of this section. The department shall include information relating to subsections D and E of this section in any of the department's examination, information or education material.

I. The department shall educate the public about this section periodically throughout the year and maintain information about this section on the department's website."

(<https://azleg.gov/ars/28/00775.htm>)

## 10. New Mexico

"A. Upon the immediate approach of an authorized emergency vehicle displaying flashing emergency lights or when the driver is giving audible signal by siren, 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 roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

B. Upon approaching a stationary authorized emergency vehicle or a recovery or repair vehicle displaying flashing emergency or hazard lights, unless otherwise directed, the driver of a vehicle shall:

(1) if reasonably safe to do so, drive in a lane not adjacent to the stationary vehicle, decrease the speed of the vehicle to a speed that is reasonable and prudent under the circumstances and proceed with caution; or

(2) if it is not reasonably safe to drive in a lane not adjacent to the stationary vehicle, decrease the speed of the vehicle to a speed that is reasonable and prudent under the circumstances, proceed with caution and be prepared to stop.

C. This section shall not operate to relieve the driver of an authorized emergency vehicle or the driver of any other vehicle from the duty to drive and park with due regard for the safety of all persons using the highway."

(<https://codes.findlaw.com/nm/chapter-66-motor-vehicles/nm-st-sect-66-7-332/>)

## 11. Tennessee

"Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the applicable laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only:

1. 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 roadway clear of any intersection, and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer; and
2. Upon the approach of an authorized emergency vehicle, as stated above, the operator of every streetcar shall immediately stop the streetcar 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.

1.

Upon approaching a stationary authorized emergency vehicle, when the vehicle is giving a signal by use of flashing lights, a person who drives an approaching vehicle shall:

1.

Proceeding with due caution, yield the right-of-way by making a lane change into

a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or

2. Proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.
2. Upon approaching a stationary recovery vehicle, highway maintenance vehicle, solid waste vehicle, or utility service vehicle, when the vehicle is giving a signal by use of authorized flashing lights, a person who drives an approaching vehicle shall:
  1. Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to the stationary recovery vehicle, highway maintenance vehicle, solid waste vehicle, or utility service vehicle if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or
  2. Proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.
3. For the purpose of this section unless the context otherwise requires:
  1. "Highway maintenance vehicle" means a vehicle used for the maintenance of highways and roadways in this state and is:
    1. Owned or operated by the department of transportation, a county, a municipality or other political subdivision of this state; or,
    2. Owned or operated by a contractor under contract with the department of transportation, a county, a municipality or other political subdivision of this state;
  2. "Recovery vehicle" means a truck that is specifically designed for towing a disabled vehicle or a combination of vehicles; and
  3. "Utility" means any person, municipality, county, metropolitan government, electric cooperative, telephone cooperative, board, commission, district or any entity created or authorized by public act, private act, or general law to provide electricity, natural gas, water, waste water services, telephone services, or any combination thereof, for sale to consumers in any particular service area.
4.
  1. The first violation of this section is a Class B misdemeanor punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or imprisonment not longer than thirty (30) days, or both.
  2. A second violation of this section is a Class B misdemeanor punishable by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000).

3. A third or subsequent violation of this section is a Class A misdemeanor punishable by a fine of not less than one thousand dollars (\$1,000).
5. This section shall not operate to relieve the driver of a stationary motor vehicle, authorized emergency vehicle, recovery vehicle, solid waste vehicle, or highway maintenance vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway."

Louisiana:

"A. Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals, or of a police vehicle properly and lawfully making use of an audible signal only, 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. When any vehicle making use of any visual signals as authorized by law, including the display of alternately flashing green, amber, or yellow warning lights, is parked on or near the highway, the driver of every other vehicle shall:

(1) When driving on an interstate highway or other highway with two or more lanes traveling in the same direction, yield the right-of-way by making a lane change into a lane not adjacent to the parked vehicle, if possible with due regard to safety and traffic conditions. If a lane change is not possible, the driver shall slow to a reasonably safe speed.

(2) Maintain a safe speed for road conditions, if unable or unsafe to change lanes, or driving on a two-lane road or highway.

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.

D. Any person who violates the provisions of this Section shall, upon conviction, be subject to a fine not to exceed two hundred dollars."

Washington:

"(1) Upon the immediate approach of an authorized emergency vehicle, or organ transport vehicle transporting a time urgent organ as defined in RCW [68.64.010](#), making use of audible and visual signals meeting the requirements of RCW [46.37.190](#), or of a police vehicle properly and lawfully making use of an audible signal only 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 roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle or organ transport vehicle has passed, except when otherwise directed by a police officer.

(2) This section shall not operate to relieve the driver of an authorized emergency vehicle or organ transport vehicle from the duty to drive with due regard for the safety of all persons using the highway. To the greatest extent practicable, organ transport services as defined in RCW [18.73.030](#) shall notify the state patrol when an organ transport vehicle is operating under the provisions of this section."

Oregon:

“(1)

A person commits the offense of failure to yield to an emergency vehicle or ambulance if an ambulance or emergency vehicle that is using a visual or audible signal in a manner described under ORS 820.300 (Exemptions from traffic laws) and 820.320 (Illegal operation of emergency vehicle or ambulance) approaches the vehicle the person is operating and the person does not do all of the following:

(a)

Yield the right of way to the ambulance or emergency vehicle.

(b)

Immediately drive to a position as near as possible and parallel to the right-hand edge or curb of the roadway clear of any intersection.

(c)

Stop and remain in such position until the emergency vehicle or ambulance has passed.”

Nevada:

“Upon the immediate approach of an authorized emergency vehicle or an official vehicle of a regulatory agency, making use of flashing lights meeting the requirements of subsection 3 of [NRS 484A.480](#), 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 a highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle or official vehicle has passed, except when otherwise directed by a law enforcement officer.”

Hawaii:

“(a) Except as otherwise provided by county ordinance, upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position clear of any intersection and parallel to, and as close as possible to, the right hand edge or curb of the highway or the nearest edge or curb when the highway has multiple lanes or when the highway is a divided highway or one-way street and shall stop and remain in such position until the authorized emergency vehicle is passed, except as otherwise directed by a police officer.

(b) 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.”

Idaho:

“(1) Upon the immediate approach of an authorized emergency or police vehicle making use of an audible or visible signal, meeting the requirements of section [49-623](#), Idaho Code, the driver of every other vehicle shall yield the right-of-way and immediately drive to a position parallel to,

and as close as possible to, the nearest edge or curb on the right side of the highway and clear of any intersection, and stop and remain in that position until the authorized emergency or police vehicle has passed, except when otherwise directed by a peace officer.

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

Utah:

“(1) Except when otherwise directed by a peace officer, the operator of a vehicle, upon the immediate approach of an authorized emergency vehicle using audible or visual signals under Section 41-6a-212 or 41-6a-1625, shall:

(a) yield the right-of-way and immediately move 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

(b) then stop and remain stopped until the authorized emergency vehicle has passed.”

Montana

“(1) When being approached by a law enforcement vehicle or authorized emergency vehicle using its siren or emergency lights, the operator of a moving vehicle, unless otherwise directed by a law enforcement officer, shall:

(a) yield the right-of-way to the law enforcement vehicle or authorized emergency vehicle; and

(b) unless already stationary and out of the way of the law enforcement vehicle or authorized emergency vehicle:

(i) drive cautiously to a position that is parallel to and as close as possible to the right-hand edge or curb of the roadway and is not in an intersection; and

(ii) remain stationary until the law enforcement vehicle or authorized emergency vehicle has passed.”

Wyoming:

“(a) Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of W.S. 31-5-928 and 31-5-952, 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 roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.”

Colorado:



“Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of section [42-4-213](#) or [42-4-222](#), the driver of every other vehicle shall yield the right-of-way and where possible shall immediately clear the farthest left-hand lane lawfully available to through traffic and shall drive to a position parallel to, and as close as possible to, the right-hand edge or curb of a roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.”

North Dakota:

“1. Upon the immediate approach of an authorized emergency vehicle displaying a visible flashing, revolving, or rotating blue, white, or red light, 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 roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.”

Ohio:

“(B) Operation of vehicles on approach of authorized emergency or public safety vehicles. The exemptions herein granted to an authorized emergency vehicle or public safety vehicle shall apply only when the driver of any such vehicle, while in motion, sounds an audible signal by bell, siren or exhaust whistle, as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying authorized emergency light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle, except that an authorized emergency vehicle or public safety vehicle operated as a police vehicle need not be equipped with or display an authorized emergency light visible from in front of the vehicle.

...

(D) Vehicles approaching emergency vehicles.

(1) Upon the immediate approach of an authorized emergency vehicle or public safety vehicle making use of audible and visual signals meeting the requirements of these regulations and/or state law, 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 edge or curb of the street or roadway, 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 law enforcement officer, hospital and campus security officer or traffic control officer.

(2) Paragraph (D)(1) of this rule shall not operate to relieve the driver of an authorized emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons using the street or roadway.”

Oklahoma:

“A. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of Section 12-218 of this act, or of a police vehicle properly and lawfully making use of an audible signal or red flashing lights, 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 roadway 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. This section shall not be construed to require a peace officer operating a police vehicle properly and lawfully in response to a crime in progress to use audible signals nor shall this section 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 road or highway.”

Arkansas:

“(a)

(1) 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.

(2) Upon conviction of violating subdivision (a)(1) of this section, a person is subject to a fine not to exceed four hundred dollars (\$400).

(b) Upon the approach of an authorized emergency vehicle, as stated in subsection (a) of this section, the operator 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.”

Kansas:

“(a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of K.S.A. 8-1738(d), and amendments thereto, and visual signals meeting the requirements of K.S.A. 8-1720, and amendments thereto, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall do the following unless otherwise directed by a police officer:

(1) Yield the right-of-way;

(2) 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

(3) stop and remain in such position until the authorized emergency vehicle has passed.”

Maryland:

“(c) On the immediate approach of an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or of a police vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, shall stop and stay in this position until the emergency vehicle has passed.

(d) A driver, when proceeding in the same direction as an emergency or police vehicle, may not pass an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or a police vehicle lawfully using an audible signal unless:

(1) The emergency vehicle has stopped; or

(2) Otherwise directed by a police officer.”

Virginia:

“Upon the approach of any emergency vehicle as defined in § [46.2-920](#) giving audible signal by siren, exhaust whistle, or air horn designed to give automatically intermittent signals, and displaying a flashing, blinking, or alternating emergency light or lights as provided in §§ [46.2-1022](#) through [46.2-1024](#), the driver of every other vehicle shall, as quickly as traffic and other highway conditions permit, drive to the nearest edge of the roadway, clear of any intersection of highways, and stop and remain there, unless otherwise directed by a law-enforcement officer, until the emergency vehicle has passed. This provision shall not relieve the driver of any such vehicle to which the right-of-way is to be yielded of the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequences of an arbitrary exercise of such right-of-way.

Violation of this section shall constitute failure to yield the right-of-way; however, any violation of this section that involves overtaking or passing a moving emergency vehicle giving an audible signal and displaying activated warning lights as provided for in this section shall constitute reckless driving, punishable as provided in § [46.2-868](#).”

New Hampshire:

“...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.”

South Dakota:

“Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of this chapter, or of a police vehicle properly and lawfully making use of an audible or visual signal only, the driver of every other vehicle shall immediately drive to a position as near as possible and parallel to the right-hand edge or curb of the highway, or in case of a one-way highway the nearest edge or curb, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police or traffic officer until the authorized emergency vehicle shall have passed. A violation of this section is a Class 2 misdemeanor.”

West Virginia:

“(a) Upon the immediate approach of an authorized emergency vehicle equipped with at least one flashing lighted lamp of a color authorized by section twenty-six, article fifteen of this chapter, which is visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle other than a police vehicle when operated as an authorized emergency vehicle, and when the driver is giving audible signal by siren, exhaust whistle, or bell:

(1) 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 roadway 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.

(2) Upon the approach of an authorized emergency vehicle, as above stated, the motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(b) 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.”

Illinois:

“(a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of this Code or a police vehicle properly and lawfully making use of an audible or visual signal:

(1) 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, if necessary to permit the safe passage of the emergency vehicle, stop and remain in such position until the authorized emergency vehicle has passed, unless otherwise directed by a police officer; and

(2) the operator of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, unless otherwise directed by a police officer.”

Pennsylvania:

“3325. Duty of driver on approach of emergency vehicle.

(a) General rule.--Upon the immediate approach of an emergency vehicle making use of an audible signal and visual signals meeting the requirements and standards set forth in regulations adopted by the department, 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 roadway clear of any intersection and shall stop and remain in that position until the emergency vehicle has passed, except when otherwise directed by a police officer or an appropriately attired person authorized to direct, control or regulate traffic. On one-way roadways a driver may comply by driving to the edge or curb which is nearest to the

lane in which he is traveling.

(b) Duty of operator of streetcar.--Upon the approach of an emergency vehicle, the operator of every streetcar shall immediately stop the streetcar clear of any intersection and remain in that position until the emergency vehicle has passed, except when otherwise directed by a police officer or an appropriately attired person authorized to direct, control or regulate traffic.

(c) Defense.--It is a defense to prosecution under this section if the defendant can show by a preponderance of the evidence that the failure to stop immediately for a police officer was based on a good faith concern for personal safety. In determining whether the defendant has met this burden, the court may consider the following factors:

- (1) The time and location of the event.
- (2) The type of vehicle used by the police officer.
- (3) The defendant's conduct while being followed by the police officer.
- (4) Whether the defendant stopped at the first available reasonably lighted or populated area.
- (5) Any other factor considered relevant by the court."

New Jersey:

"Upon the immediate approach of an authorized emergency vehicle giving audible signal, and equipped, as required by section 39:4-91 of this Title, and unless otherwise directed by a police or traffic officer,

(a) The driver of every vehicle shall immediately drive to a position as near as possible and parallel to the right-hand edge or curb of the highway, clear of an intersection of highways, and shall stop and remain in that position until the authorized emergency vehicle has passed and

(b) The driver or person in control of a street car shall immediately stop the car clear of an intersection of highways and keep it stationary until the authorized emergency vehicle has passed.

No driver of any vehicle other than one on official business shall follow any authorized emergency vehicle, traveling in response to an emergency call, closer than 300 feet, or drive nearer to, or park the vehicle within 200 feet of, where any fire apparatus has stopped in answer to a fire alarm."

Connecticut:

"...(e) Upon the immediate approach of an emergency vehicle making use of such an audible warning signal device and such visible flashing or revolving lights or of any state or local police vehicle properly and lawfully making use of an audible warning signal device only, the operator of every other vehicle in the immediate vicinity 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 such position until the emergency vehicle has passed, except when otherwise directed by a state or local police officer or a firefighter...."

Missouri:

“1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section [307.175](#), the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.”

Kentucky:

“(1) Upon the approach of an emergency vehicle equipped with, and operating, one (1) or more flashing, rotating, or oscillating red or blue lights, visible under normal conditions from a distance of five hundred (500) feet to the front of such vehicle; or the driver is given audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the edge or curb of the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.

(2) Upon the approach of any emergency vehicle, operated in conformity with the provisions of subsection (1) of this section, the operator of every vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.”

Indiana:

“(a) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red, red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer:

(1) Yield the right-of-way.

(2) 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.

(3) Stop and remain in the position until the authorized emergency vehicle has passed.”

Iowa:

“321.324 Operation on approach of emergency vehicles.

1. For the purposes of this section, “red light” or “blue light” means a light or lighting device that, when illuminated, will exhibit a solid flashing or strobing red or blue light.

2. Upon the immediate approach of an authorized emergency vehicle with any lamp or device displaying a red light or red and blue lights, or an authorized emergency vehicle of a fire department displaying a blue light, or 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.

3. Upon the approach of an authorized emergency vehicle, as described in subsection 2, the driver of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

4. 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”