

Introduced by

Senators Patten, Lemm, K. Roers

1 A BILL for an Act to amend and reenact subsection 2 of section 39-01-01 of the North Dakota
2 Century Code, relating to the definition of an authorized emergency vehicle.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 39-01-01 of the North Dakota Century
5 Code is amended and reenacted as follows:

6 2. "Authorized emergency vehicles":

7 a. "Class A" authorized emergency vehicles means:

8 (1) Vehicles of a governmentally owned fire department.

9 (2) Vehicles when operated by or under the control of a police officer having
10 authority to enforce the provisions of this title or by a salaried employee of a
11 municipal police department within the municipality or by a sheriff or deputy
12 sheriff not including special deputy sheriffs, or by the director of the
13 department of corrections and rehabilitation and the director's authorized
14 agents who have successfully completed training in the operation of class A
15 authorized emergency vehicles.

16 (3) Vehicles clearly identifiable as property of the department of corrections and
17 rehabilitation when operated or under the control of the director of the
18 department of corrections and rehabilitation.

19 (4) Ambulances and other vehicles authorized by licensure granted under
20 chapter 23-27.

21 (5) Vehicles operated by or under the control of the director, district deputy
22 director, or a district deputy game warden of the game and fish department.

23 (6) Vehicles owned or leased by the United States and used for law
24 enforcement purposes.

- 1 (7) Vehicles designated for the use of the adjutant general or assistant adjutant
2 general in cases of emergency.
- 3 (8) Vehicles operated by or under the control of the director of the parks and
4 recreation department.
- 5 (9) Vehicles operated by or under the control of a licensed railroad police officer
6 and used for law enforcement purposes.
- 7 (10) Vehicles operated by or under the control of the state forester.
- 8 (11) Vehicles operated by or under the control of the bureau of criminal
9 investigation and used for law enforcement purposes.
- 10 (12) Vehicles operated by or under the state department of health in cases of
11 emergencies.
- 12 (13) ~~Vehicles operated by a governmentally owned agency for the purpose of~~
13 ~~search and rescue~~ Vehicles used or operated by governmental search and
14 rescue personnel while performing emergency operations or duties. As used
15 in this paragraph, "search and rescue" means deployment, coordination,
16 and use of available resources and personnel in locating, relieving the
17 distress, and preserving the life of and removing an individual who is
18 missing, trapped, or lost in the backcountry, remote areas, or waters of the
19 state. The term includes water and dive rescue.
- 20 b. "Class B" authorized emergency vehicles means wreckers and such other
21 emergency vehicles as are authorized by the local authorities.
- 22 c. "Class C" authorized emergency vehicles means:
- 23 (1) Vehicles used by the state division of homeland security or local division of
24 emergency management organizations.
- 25 (2) Vehicles used by volunteer firefighters while performing their assigned
26 disaster and emergency responsibilities.
- 27 (3) Vehicles, other than ambulances, used by emergency medical services
28 personnel.
- 29 (4) Vehicles used by volunteer search and rescue personnel ~~while~~ if performing
30 an emergency ~~operations~~ operation or ~~duties~~ duty upon the request of a state
31 entity, political subdivision, or volunteer fire department. A volunteer

1 organization may classify a personal vehicle as a class C emergency
2 vehicle if needed to assist in a search and rescue operation in accordance
3 with this paragraph. As used in this paragraph, "search and rescue" means
4 deployment, coordination, and use of available resources and personnel in
5 locating, relieving the distress, and preserving the life of and removing an
6 individual who is missing, trapped, or lost in the backcountry, remote areas,
7 or waters of the state. The term includes water and dive rescue.