

# South Carolina Statutes

## “Emergency Vehicle”

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## TITLE 56. MOTOR VEHICLES

### CHAPTER 5. UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS

#### ARTICLE 1. GENERAL PROVISIONS

**SECTION 56-5-760.** Operation of authorized emergency vehicles. [SC ST SEC 56-5-760]

(A) The driver of an authorized **emergency vehicle**, 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 of this section.

(B) The driver of an authorized **emergency vehicle** may:

- (1) park or stand, notwithstanding any other provision of this chapter;
- (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 limit if he does not endanger life or property;
- (4) disregard regulations governing direction of movement or turning in specified directions.

(C) The exemptions in this section granted to an authorized **emergency vehicle** apply only when the vehicle is making use of an audible signal meeting the requirements of Section 56-5-4970 and visual signals meeting the requirements of Section 56-5-4700 of this chapter, except that an authorized **emergency vehicle** operated as a police vehicle need not use an audible signal nor display a visual signal when the vehicle is being used to:

- (1) obtain evidence of a speeding violation;
- (2) respond to a suspected crime in progress when use of an audible or visual signal, or both, could reasonably result in the destruction of evidence or escape of a suspect; or
- (3) surveil another vehicle or its occupants who are suspected of involvement in a crime.

(D) The provisions of this section do not relieve the driver of an authorized **emergency vehicle** from the duty to drive with due regard for the safety of all persons.

**SECTION 56-5-940.** Local traffic-control devices. [SC ST SEC 56-5-940]

Subject to the limitations prescribed in § 56-5-930, local authorities in their respective jurisdictions shall place and maintain such traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this chapter or local traffic ordinances or to regulate, warn or guide traffic. All such traffic-control devices so erected by such local authorities shall conform to the State manual and specifications.

**SECTION 56-5-950.** Obedience to and required traffic-control devices. [SC ST SEC 56-5-950]

(a) The driver of any vehicle shall obey the instructions of any official traffic-control device, applicable thereto placed or held in accordance with the provisions of this chapter, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized **emergency vehicle** in this chapter.

(b) No provision of this chapter for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.

(c) Whenever official traffic-control devices are placed or held in position approximately conforming to the requirements of this chapter, such devices shall be presumed to have been so placed or held by the official act or direction of lawful authority unless the contrary shall be established by competent evidence.

(d) Any official traffic-control device placed or held pursuant to the provisions of this chapter and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirement of this chapter, unless the contrary shall be established by competent evidence.

**SECTION 56-5-1538.** Emergency scene management; definitions [SC ST SEC 56-5-1538]

(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.

**SECTION 56-5-2360.** Operation of vehicles on approach of authorized emergency vehicles. [SC ST SEC 56-5-2360]

(a) Upon the immediate approach of an authorized **emergency vehicle** making use of an audible signal meeting the requirements of Section 56-5-4970 and visual signals meeting the requirements of Section 56-5-4700, or of a police vehicle properly and lawfully making use of an audible signal or visual signal, the driver of every other vehicle traveling along a two-lane roadway 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. A driver of a vehicle traveling along a multilane roadway shall yield the right-of-way and shall remain in, or move to a location that allows the **emergency vehicle** or police vehicle to pass safely, 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.

**SECTION 56-5-3260.** Pedestrians yield to authorized emergency vehicles. [SC ST SEC 56-5-3260]

(a) Upon the immediate approach of an authorized **emergency vehicle** making use of an audible signal meeting the requirements of § 56-5-4970 and visual signals meeting the requirements of § 56-5-4700, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized **emergency vehicle**.

(b) 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 nor from the duty to exercise due care to avoid colliding with any pedestrian.

**ARTICLE 26. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES**

**SECTION 56-5-3310.** Electric Personal Assistive Mobility Devices. [SC ST SEC 56-5-3310]

(A) As used in this article, "Electric Personal Assistive Mobility Device" or "EPAMD" means a self-balancing two nontandem wheeled device designed to transport one person, with an electric propulsion system with average power of seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by this propulsion system while ridden by an operator weighing one hundred seventy pounds, is less than twenty miles an hour.

(B) The operation of an EPAMD is governed by the provisions of this article. Notwithstanding another provision of law, an EPAMD is not considered a "vehicle" or "motor vehicle" within the meaning of the laws of this State and no provisions of law relating to vehicles or motor vehicles apply to an EPAMD unless specified in this article.

(C) A person may operate an EPAMD upon sidewalks, roadways, bicycle routes, paths, or trails as contained in this article.

(D) A person operating an EPAMD on a sidewalk, roadway, bicycle route, path, or trail shall exercise due care to avoid colliding with, and shall yield the right-of-way to, pedestrians and human powered devices. A person operating an EPAMD also shall give an audible signal before overtaking and passing a pedestrian or person operating a human powered device.

(E) An EPAMD must not be operated at a speed greater than fifteen miles an hour.

(F) A person operating an EPAMD shall obey the instructions of an official traffic control device specifically applicable to him unless otherwise directed by a police officer. A person operating an EPAMD is subject to traffic and pedestrian control signals as provided in Sections 56-5-970 and 56-5-990. At all other places a person operating an EPAMD must be accorded the privileges and is subject to the restrictions contained in this article.

(G) Local authorities by ordinance may require that a person operating an EPAMD strictly comply with the directions of an official traffic control signal and by ordinance may prohibit a person operating an EPAMD from crossing a roadway in a business district or a designated highway except in a crosswalk.

(H) When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slow down, or stop to yield to a person operating an EPAMD crossing a roadway within a crosswalk when the person operating the EPAMD is upon or approaching the portion of the roadway on which the vehicle is traveling. A person operating an EPAMD shall not leave a curb suddenly, or another place of safety, move into the path of a vehicle and create an immediate hazard. When a vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection to permit an EPAMD to cross the roadway, the driver of another vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(I) A person operating an EPAMD shall move, whenever practicable, upon the right portion of a crosswalk.

(J) A person operating an EPAMD while crossing a roadway at a point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway. A person operating an EPAMD crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway. Between adjacent intersections at which traffic control signals are in operation a person operating an EPAMD shall cross only at an intersection marked crosswalk. A person operating an EPAMD shall not cross a roadway intersection diagonally unless authorized by official traffic control devices. When authorized to cross a roadway diagonally, a person operating an EPAMD shall cross only in accordance with the official traffic control

devices pertaining to these crossing movements.

(K) Where a sidewalk is provided and its use is practicable, it is unlawful for a person to operate an EPAMD along and upon an adjacent roadway. Where a sidewalk is not available, a person operating an EPAMD along and upon a highway shall operate only on a shoulder as far as practicable from the edge of the roadway. Where neither a sidewalk nor a shoulder is available, a person operating an EPAMD along and upon a highway shall operate it as near as practicable to an outside edge of the roadway and, if on a two-way roadway, shall operate only on the left side of the roadway. Except as otherwise provided in this chapter, a person operating an EPAMD upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

(L) A person operating an EPAMD, unless otherwise directed by a law enforcement officer, shall not occupy a space within the limits of the roadway and shoulder of the main facility of a freeway, except to perform public works or official duties, resulting from an emergency caused by an accident or breakdown of a motor vehicle, or to obtain assistance. The prohibitions imposed by this subsection on the use of freeways do not apply to service roads alongside the highways. A person who violates the provisions contained in this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

(M) Notwithstanding a local ordinance, every driver of a vehicle shall exercise due care to avoid colliding with a person operating an EPAMD and shall give an audible signal when necessary.

(N) Upon the immediate approach of an authorized **emergency vehicle** making use of an audible signal meeting the requirements of Section 56-5-4970 and visual signals meeting the requirements of Section 56-5-4700, or of a police vehicle properly and lawfully making use of an audible signal only, a person operating an EPAMD shall yield the right-of-way to the authorized **emergency vehicle**. This subsection 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 a person operating an EPAMD.

(O) An EPAMD must not be used to carry more persons than it is designed and equipped to carry.

(P) A person operating an EPAMD shall not enter or remain upon a bridge or an approach to it beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given. A person operating an EPAMD shall not pass through, around, over, or under a crossing gate or a barrier at a railroad grade crossing or bridge while the gate or barrier is closed or is being opened or closed.

(Q) An EPAMD must be equipped with a stopping mechanism which will enable the operator to bring the EPAMD to a controlled stop. A person shall not operate an EPAMD unless it is equipped with a bell or other device capable of giving a signal audible for a

distance of at least one hundred feet. However, an EPAMD shall not be equipped with, nor shall a person use, a siren or whistle on an EPAMD, except as provided in subsection (R). An EPAMD when in use at nighttime must be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with front, rear, and side reflectors which must be visible from at least three hundred feet.

(R) An authorized police patrol EPAMD used as a part of a police EPAMD patrol may exercise the privileges of an **emergency vehicle** as provided in Section 56-5-760. An authorized police patrol EPAMD may be equipped with a siren. An officer utilizing a police patrol EPAMD may use his whistle or deploy the vehicle's siren for law enforcement purposes. Notwithstanding the provisions of Section 56-5-760(C), an authorized police patrol EPAMD acting as an **emergency vehicle** is entitled to the exemptions of an authorized **emergency vehicle** if it makes use of an audible signal meeting the requirements of Section 56-5-4970 or visual signals meeting the requirements of Section 56-5-4700.

(S) An operator of an EPAMD who violates a provision contained in this article, unless specified in a subsection, is guilty of a misdemeanor and, upon conviction, must be fined not more than twenty-five dollars.

**SECTION 56-5-4970.** Sirens, whistle or bell on authorized emergency vehicles. [SC ST SEC 56-5-4970]

Any authorized **emergency vehicle** may be equipped with a siren, whistle or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet and of a type approved by the Department of Public Safety, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which latter event the driver of such vehicle shall sound such siren when necessary to warn pedestrians and other drivers of the approach thereof.