**South Carolina General Assembly**

125th Session, 2023-2024

**S. 375**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Grooms, Verdin and Senn

Document Path: SR-0213KM23.docx

Introduced in the Senate on January 12, 2023

Introduced in the House on March 1, 2023

Last Amended on February 7, 2023

Currently residing in the House Committee on **Judiciary**

Summary: Emergency Scene Management

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/12/2023 Senate Introduced and read first time ([Senate Journal‑page 3](h:\sj\20230112.docx))

1/12/2023 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 3](h:\sj\20230112.docx))

1/19/2023 Senate Committee report: Favorable **Transportation** ([Senate Journal‑page 8](h:\sj\20230119.docx))

1/20/2023 Scrivener's error corrected

2/7/2023 Senate Amended ([Senate Journal‑page 8](h:\sj\20230207.docx))

2/23/2023 Senate Read second time ([Senate Journal‑page 8](h:\sj\20230223.docx))

2/23/2023 Senate Roll call Ayes-41 Nays-0 ([Senate Journal‑page 8](h:\sj\20230223.docx))

2/28/2023 Senate Read third time and sent to House ([Senate Journal‑page 11](h:\sj\20230228.docx))

3/1/2023 House Introduced and read first time ([House Journal‑page 48](h:\hj\20230301.docx))

3/1/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 48](h:\hj\20230301.docx))

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**VERSIONS OF THIS BILL**

[01/12/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/375_20230112.docx)

[02/07/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/375_20230207.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

February 7, 2023

S. 375

Introduced by Senators Grooms, Verdin and Senn

S. Printed 02/07/23--S.

Read the first time January 12, 2023

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56‑5‑1538, RELATING TO THE DEFINITIONS OF EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE THAT A DRIVER SHALL ENSURE THAT HIS VEHICLE IS KEPT UNDER CONTROL WHEN APPROACHING OR PASSING A MOTOR VEHICLE STOPPED ON OR NEAR THE RIGHT‑OF‑WAY OF A STREET OR HIGHWAY; TO PROVIDE THAT A PERSON DRIVING A VEHICLE APPROACHING A STATIONARY VEHICLE DISPLAYING FLASHING HAZARD LIGHTS SHALL SLOW DOWN, YIELD THE RIGHT‑OF‑WAY, AND MAINTAIN A SAFE SPEED IF CHANGING LANES IS UNSAFE; AND TO PROVIDE PENALTIES.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑5‑1538 of the S.C. Code is amended to read:

Section 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 causing a collision, to prevent causing 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) The driver of a vehicle shall ensure that the vehicle is kept under control when approaching or passing a motor vehicle stopped on or near the right‑of‑way of a street or highway when the stopped vehicle is displaying flashing hazard lights. The exercise of control required for a driver to comply with this section is that control possible and necessary by the driver to prevent causing a collision or to prevent causing injury to persons or property.

(J) A person driving a vehicle approaching a stationary vehicle displaying flashing hazard lights shall proceed with caution, significantly reduce speed, and:

(1) yield the right‑of‑way by making a lane change into a lane not adjacent to that of the stopped motor 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.

(K) A person who violates the provisions of subsection (I) or (J) is subject to a fine not less than three hundred dollars nor more than five hundred dollars.

(L) 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 2. This act takes effect upon approval by the Governor.

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