BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 27-37-202(b)(3)(B), concerning horns and warning devices on emergency vehicles, is amended to read as follows:

(B) The warning device shall not be used except when the 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 event, the driver of the vehicle shall sound the warning device when necessary to warn pedestrians and other drivers of the approach thereof.

(B)(i) Except as provided under § 27-51-905, the driver of an emergency vehicle shall sound a warning device:

(a) When necessary to warn pedestrians and other drivers that the emergency vehicle is approaching; and

(b) While the emergency vehicle is being operated in response to an emergency call or in the immediate pursuit of an
actual or suspected violator of the law.

(ii) The warning device shall not be used by the
driver of an emergency vehicle except when the emergency vehicle is being
operated as required under subdivision (b)(3)(B)(i) of this section.

SECTION 2. Arkansas Code § 27-49-109 is amended to read as follows:


(a)(1) The driver of any authorized emergency vehicle when responding
to an emergency call upon approaching a red or stop signal or any stop sign
shall slow down as necessary for safety but may proceed cautiously past the
red or stop sign or signal.

(2) At other times, drivers of authorized emergency vehicles
shall stop in obedience to a stop sign or signal.

(b) No A driver of any authorized emergency vehicle shall not assume
any special privilege under this act except when:

(1) the The authorized emergency vehicle is operated in response
to an emergency call or in the immediate pursuit of an actual or suspected
violator of the law; and

(2) The driver of the authorized emergency vehicle is operating
the vehicle's emergency lights and operating an audible warning device.

(c) The driver of an authorized emergency vehicle operated as a police
vehicle is not required to operate a siren or flashing lights when operating
the emergency vehicle as authorized under § 27-51-905.

SECTION 3. Arkansas Code § 27-51-202 is amended to read as follows:


(a)(1) The prima facie speed limitations set forth in this under this
subchapter shall do not apply to authorized emergency vehicles when
responding to emergency calls when the driver thereof of the emergency
vehicle is operating the vehicle's emergency lights and is also operating an
audible signal by bell, siren, or exhaust whistle if other vehicles are
present.

(2) The driver of an authorized emergency vehicle operated as a
police vehicle is not required to operate a siren or flashing lights when
operating the emergency vehicle as authorized under § 27-51-905.
(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 street, nor shall it protect the driver of any emergency vehicle from the consequence of a reckless disregard of the safety of others.

(c) For purposes of this section, “emergency calls” means legitimate emergency situations which call for the operation of an emergency vehicle, including a police vehicle.

SECTION 4. Arkansas Code Title 27, Chapter 51, Subchapter 9, is amended to add an additional section to read as follows:


(a) An authorized emergency vehicle operated as a police vehicle is not required to operate the vehicle’s siren or flashing lights when the emergency vehicle is responding to an emergency call or when in pursuit of an actual or suspected violator if the emergency 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 could result in the destruction of evidence or escape of a suspect; or

(3) Conduct surveillance of a vehicle or the passengers of a vehicle who are suspected of involvement in a crime.

(b) This section does not relieve the driver of an authorized emergency vehicle operated as a police vehicle from:

(1) The duty to drive with regard for the safety of all persons using the street; or

(2) Any legal consequence resulting of a reckless disregard of the safety of others.

/s/Tosh

APPROVED: 04/01/2017