

## 2026 Regular Session

SENATE BILL NO. 40

BY SENATOR WHEAT

TRANSPORTATION/DEV DEPT. Provides for approaching emergency or disabled vehicles on or near highways. (8/1/26)

# 1 AN ACT

2 To amend and reenact R.S. 32:125, relative to the procedure for approaching vehicles  
3 adjacent to the highway; to provide for procedure for approaching authorized  
4 emergency vehicles parked adjacent to the highway; to provide for procedures  
5 approaching any vehicle in an emergency; and to provide for related matters.

6        Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:125 is hereby amended and reenacted to read as follows:

8                   §125. Procedure on approach of an authorized emergency vehicle; passing a parked  
9                   **or disabled** emergency **or nonemergency** vehicle

1 when otherwise directed by a police officer.

2 **(2) This Section shall not be construed to relieve the driver of an**  
3 **authorized emergency vehicle from the duty to drive with due regard for the**  
4 **safety of all persons using the highway.**

5 B. When any vehicle ~~making use of any visual signals as authorized by law,~~  
6 ~~including the display of alternately flashing green, amber, or yellow warning lights,~~  
7 ~~as defined by R.S. 32:1(110),~~ is parked on or near the highway, ~~disabled,~~  
8 ~~immobilized, nonoperational or is making use of any visual signals including the~~  
9 ~~display of flashing lights, hazard lamps, or any emergency warning devices,~~ the  
10 driver of every ~~other passing or approaching~~ vehicle shall:

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

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

20 ~~C. This Section shall not operate to relieve the driver of an authorized~~  
21 ~~emergency vehicle from the duty to drive with due regard for the safety of all~~  
22 ~~persons using the highway.~~

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

25 **D. The Department of Public Safety and Corrections shall promulgate**  
26 **rules pursuant to this Section.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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## DIGEST

SB 40 Original

2026 Regular Session

Wheat

Present law provides for the procedure for approaching authorized emergency vehicles parked on the side of the highway. Proposed law adds a reference to the definition of an authorized emergency vehicle.

Present law provides for the procedure for approaching vehicles that are not authorized emergency vehicles parked on the side of the highway. Proposed law adds a reference to the definition of vehicle.

Proposed law specifies the color of lights for authorized emergency vehicles.

Proposed law provides for technical matters.

Proposed law provides for the department to promulgate rules in accordance with the law.

Effective August 1, 2026.

(Amends R.S. 32:125)