

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

10 A.**(1)** Upon the immediate approach of an authorized emergency vehicle, **as**
11 **defined by R.S. 32:1(1)**, making use of audible or visual signals, **authorized by**
12 **law, including the display of alternately flashing green, amber, blue, red, or**
13 **yellow warning lights**, or of a police vehicle properly and lawfully making use of
14 an audible signal only, the driver of every other vehicle shall yield the right-of-way
15 and shall immediately drive to a position parallel to, and as close as possible to, the
16 right-hand edge or curb of the highway clear of any intersection, and shall stop and
17 remain in such position until the authorized emergency vehicle has passed, except

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.

