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**IDAPA 11
TITLE 07
CHAPTER 03**

11.07.03 - RULES GOVERNING EMERGENCY VEHICLES/AUTHORIZED EMERGENCY VEHICLES

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to the authority granted to the Idaho State Police pursuant to Section 67-2901(4), Idaho Code. (5-3-03)

001. TITLE AND SCOPE.

01. Title. These rules are cited as IDAPA 11.07.03, "Rules Governing Emergency Vehicles/Authorized Emergency Vehicles." (5-3-03)

02. Scope. The rules apply to emergency vehicles/authorized emergency vehicles under the jurisdiction of the Idaho State Police. (5-3-03)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (5-3-03)

003. ADMINISTRATIVE APPEALS.

All administrative appeals under these rules are conducted under IDAPA 04.11.01 et. seq, "Idaho Rules of Administrative Procedure of the Attorney General." (5-3-03)

004. INCORPORATION BY REFERENCE.

These rules do not incorporate any documents by reference. (5-3-03)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

01. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (5-3-03)

02. Mailing Address. The mailing address for the central office is Idaho State Police, Patrol Headquarters, 700 S. Stratford Drive, Meridian, ID 83864. (5-3-03)

03. Street Address. The central office of the Idaho State Police is located at 700 S. Stratford Drive, Meridian, ID 83864. (5-3-03)

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are public records available for inspection and copying at the department. (5-3-03)

007. -- 009. (RESERVED).

010. DEFINITIONS.

01. Authorized Emergency Vehicle. Authorized emergency vehicle means any vehicle that the Director shall designate, upon a finding that the vehicle is necessary for the preservation of life or property or to the execution of an emergency governmental function. (7-1-93)

02. Limited Authorized Vehicle. Limited authorized emergency vehicle means a vehicle to which a limited authorization is issued by the Director for limited emergency uses as defined by the Director upon agreement with an applicant under terms specified therein. (7-1-93)

03. Driver. Driver means every person who is in actual physical control of an authorized emergency vehicle. (7-1-93)

04. Operation. Operation means the driving or moving by any driver on a public highway of any

emergency vehicle which requires authorization from the Director. (7-1-93)

011. PURPOSE.

01. General. The purpose of this chapter is to specify a procedure to be followed to obtain approval for authorized emergency vehicles. Pursuant to Section 49-218, Idaho Code, the Director shall designate any particular vehicle as an authorized emergency vehicle upon a finding that designation of that vehicle is necessary to the preservation of life or property or to the execution of an emergency governmental function. (5-3-03)

02. Emergency Vehicles. This chapter will not pertain to emergency vehicles as defined by Section 49-123, Idaho Code, i.e., vehicles operated by any fire department or law enforcement agency of the state of Idaho or political subdivision thereof, and ambulances of any public utility or public service corporation. (5-3-03)

012. AUTHORIZATION REQUIREMENTS.

01. General. Any person, firm, corporation, or municipal corporation, desiring to have a vehicle registered as an authorized emergency vehicle, pursuant to Section 49-218, Idaho Code, shall apply for authorization to the Director on forms provided by the department. (5-3-03)

02. Required. The applicant shall furnish the following information to the department and do the following: (7-1-93)

a. A description of the specific geographic area in which the vehicle shall be used as an authorized emergency vehicle. (7-1-93)

b. A description of the specific purposes for which the vehicle shall be used as an emergency vehicle. (7-1-93)

c. A description of the emergency vehicle listing year, make, model, vehicle identification number and license plate number. (7-1-93)

d. A description of the emergency lighting equipment to be used on the emergency vehicle. (7-1-93)

e. A description of the emergency horns or warning devices to be used on the emergency vehicle. (7-1-93)

f. Written documentation indicating the emergency vehicle will have radio communications between a central dispatch location and, when applicable, between other emergency vehicles. (7-1-93)

g. Maintain a certificate or liability and property damage insurance executed by an insurer authorized to transact insurance business with the state. A copy of such certificate shall be on file in the Director's office and shall be updated upon each renewal period, with notice of renewal being filed with the Director. The certificate shall show expiration date, liability (single event and aggregate) and property damage coverage. (7-1-93)

h. An explanation of the nature and the scope of the duties, responsibilities and the authority of the vehicle driver which necessitates the vehicle's registration as an authorized emergency vehicle. (7-1-93)

i. A list of the names, addresses, birthdates, social security numbers of all persons who use the vehicle as an authorized emergency vehicle. (7-1-93)

j. Written documentation as to the emergency vehicle driving courses and hours of instruction completed by each driver. (7-1-93)

k. A recommendation by the chief law enforcement officer or fire chief, if the vehicle is to be used for fire fighting purposes, of each jurisdiction in which the vehicle is to be used as an authorized emergency vehicle stating that a need exists in such jurisdiction for the vehicle to be used as described in the application. The Director may issue emergency vehicle authorization to vehicles which operate throughout the state. (7-1-93)

013. LIMITED AUTHORIZED EMERGENCY VEHICLE.

01. General. Any person, firm, corporation, or municipal corporation, desiring to have a vehicle registered as a limited authorized emergency vehicle shall apply for authorization to the Director on forms provided by the department. (7-1-93)

02. Information. The applicant shall furnish the following information to the department: (7-1-93)

a. A description of the emergency vehicle listing year, make, model, vehicle identification number and license plate number. (7-1-93)

b. A description of the emergency lighting equipment to be used on the emergency vehicle. (7-1-93)

03. Requirements. Each driver of an authorized emergency vehicle shall: (7-1-93)

a. Be eighteen (18) years of age or older. (7-1-93)

b. Not have been convicted in any court within three (3) years of an offense of driving under the influence of alcohol, drugs, or any other intoxicating substance, reckless driving, failure to stop or report an accident, or any other conviction which the Director may deem a disqualifier to drive an authorized emergency vehicle. (7-1-93)

c. Not have had driving privileges suspended for any reason within the last three (3) years. (7-1-93)

014. AUTHORIZATION LIMITATIONS.

01. Durations. The authorization proved by the Director shall be for one (1) year. The application for continued emergency vehicle authorization or limited emergency vehicle authorization shall be renewed prior to the expiration date. (7-1-93)

02. Restrictions. An authorized emergency vehicle shall not be used except as follows: (7-1-93)

a. Only by the drivers named on the original or amended application. (7-1-93)

b. Only with the equipment described in the original or amended application. (7-1-93)

c. Only within the geographical area described in the original or amended application. (7-1-93)

d. Only for the purposes set forth in the original or amended application. (7-1-93)

03. Limited Restriction. A limited authorized emergency vehicle shall not be used except as follows: (7-1-93)

a. Where a lane of traffic is obstructed or at the discretion of a peace officer, it may display a red, flashing light. (7-1-93)

b. To gain access to accident or emergency scenes, it may use interstate system emergency crossovers, provided such usage is done in a safe manner. (7-1-93)

c. It shall be unlawful and cause for immediate revocation of the limited authorization if red lights are used while traveling to or from an incident or an emergency or for any reason not described herein. (7-1-93)

015. -- 020. (RESERVED).

021. EQUIPMENT REQUIRED.

01. Authority. Pursuant to Section 49-901, Idaho Code, the Director has authority to approve and disapprove warning lighting devices on emergency vehicles and to issue and enforce regulations for such emergency warning lighting devices. (5-3-03)

02. Equipment. Every authorized emergency vehicle shall be equipped in conformance with Section 49-623(3), Idaho Code, with at least one (1) red light visible in a three hundred and sixty (360) degree arc at a distance of one thousand feet (1000') under normal atmospheric conditions and/or an audible signaling device having a decibel rating of at least one hundred (100) decibels at a distance of ten feet (10'). (5-3-03)

022. PROCEDURE.

01. Approval. If the Director approves the application, he shall issue a certificate of approval which shall be valid for thirty (30) days, during which time the emergency equipment may be installed. After installation of the emergency equipment, the applicant shall bring the vehicle to a district office of the Idaho State Police to be examined to determine if the equipment is of an approved type and is properly mounted. An Idaho State Police officer shall certify the results of this examination on a form prescribed and provided by the department, and the applicant shall file the form with the Idaho State Police, P.O. Box 55, Boise, Idaho 83707. (7-1-93)

02. Carried. The certificate of approval, and when issued the agreement or copies thereof, including all endorsements for changes of conditions, shall be carried in the authorized emergency vehicle or limited authorized emergency vehicle at all times and shall be displayed upon request of any law enforcement officer. (7-1-93)

03. Violation. Violation of any of the Rules shall be grounds for suspension or revocation of the authorized emergency vehicle agreement or limited authorized emergency vehicle agreement without prior written notice or opportunity for hearing. (7-1-93)

04. Authorization. Any authorization may be terminated at any time without cause or prior written notice or opportunity for hearing by the Director or his designated representative. (7-1-93)

05. Copy. A copy of the authorized emergency vehicle certificate approved by the Director or limited authorization certificate approved by the Director shall be carried in each authorized vehicle and shown to any peace officer upon request. (7-1-93)

06. Valid. The certificate of authorization shall be valid until June 30, 1987. Any renewals or new applications shall expire on June 30 of each subsequent year following. (7-1-93)

023. -- 999. (RESERVED).

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