

## **IDAPA 11 – IDAHO STATE POLICE**

### **Idaho State Police Motor Vehicles**

#### **11.07.03 – Rules Governing Emergency Vehicles/Authorized Emergency Vehicles**

**Who does this rule apply to?**

*Law enforcement agencies and operators of authorized emergency vehicles.*

**What is the purpose of this rule?**

*These rules regulate all owners and operators of motor vehicles that operate on the highways within the state of Idaho. These rules further govern authorization processes and required emergency vehicle equipment.*

**What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statute passed by the Idaho Legislature:*

State Government and State Affairs -

Idaho State Police:

- [Section 67-2901, Idaho Code](#) – Idaho State Police Created – Director – Divisions – Powers and Duties – Failure of Peace Officers to Obey Orders, Misdemeanor – Deputies – Compensation and Powers

**Who do I contact for more information on this rule?**

Idaho State Police

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## 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. (3-23-22)

### 001. SCOPE.

The rules apply to emergency vehicles/authorized emergency vehicles under the jurisdiction of the Idaho State Police. (3-23-22)

### 002. -- 009. (RESERVED)

### 010. DEFINITIONS.

Unless specifically defined in this chapter, the definitions in Title 49, Chapter 1, Idaho Code apply to this chapter. (3-23-22)

**01. Limited Authorized Vehicle.** 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. (3-23-22)

**02. Driver.** Every person who is in actual physical control of an authorized emergency vehicle. (3-23-22)

### 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 may 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. (3-23-22)

**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. (3-23-22)

### 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, must apply for authorization to the Director on forms provided by the department and: (3-23-22)

- a.** Provide a description of: (3-23-22)
  - i.** The specific geographic area in which the vehicle will be used as an authorized emergency vehicle. (3-23-22)
  - ii.** The specific purposes for which the vehicle will be used as an emergency vehicle. (3-23-22)
  - iii.** The emergency vehicle listing year, make, model, vehicle identification number and license plate number. (3-23-22)
  - iv.** The emergency lighting equipment to be used on the emergency vehicle. (3-23-22)
  - v.** The emergency horns or warning devices to be used on the emergency vehicle. (3-23-22)
- b.** Provide written documentation indicating the emergency vehicle will have radio communications between a central dispatch location and, when applicable, between other emergency vehicles. (3-23-22)
- c.** Maintain a certificate or liability and property damage insurance executed by an insurer authorized to transact insurance business with the state and have a copy on file in the Director's office and update it upon each renewal period, with notice of renewal being filed with the Director. The certificate must show expiration date, liability (single event and aggregate) and property damage coverage. (3-23-22)
- d.** Provide 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. (3-23-22)

e. Provide a list of the names, addresses, birthdates, social security numbers of all persons who use the vehicle as an authorized emergency vehicle. (3-23-22)

f. Provide written documentation as to the emergency vehicle driving courses and hours of instruction completed by each driver. (3-23-22)

g. Provide a recommendation by the chief law enforcement officer or fire chief, if the vehicle is to be used for firefighting 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. (3-23-22)

**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 must apply for authorization to the Director on forms provided by the department that provides the following information: (3-23-22)

a. A description of the emergency vehicle listing year, make, model, vehicle identification number and license plate number. (3-23-22)

b. A description of the emergency lighting equipment to be used on the emergency vehicle. (3-23-22)

**02. Requirements.** Each driver of an authorized emergency vehicle must: (3-23-22)

a. Be eighteen (18) years of age or older. (3-23-22)

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. (3-23-22)

c. Not have had driving privileges suspended for any reason within the last three (3) years. (3-23-22)

**014. AUTHORIZATION LIMITATIONS.**

**01. Durations.** The authorization proved by the Director will be for one (1) year. The application for continued emergency vehicle authorization or limited emergency vehicle authorization must be renewed prior to the expiration date. (3-23-22)

**02. Restrictions.** An authorized emergency vehicle may not be used except as follows: (3-23-22)

a. Only by the drivers named on the original or amended application. (3-23-22)

b. Only with the equipment described in the original or amended application. (3-23-22)

c. Only within the geographical area described in the original or amended application. (3-23-22)

d. Only for the purposes set forth in the original or amended application. (3-23-22)

**03. Limited Restriction.** A limited authorized emergency vehicle may not be used except as follows: (3-23-22)

a. Where a lane of traffic is obstructed or at the discretion of a peace officer, it may display a red, flashing light. (3-23-22)

**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. (3-23-22)

**c.** It is 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. (3-23-22)

**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. (3-23-22)

**02. Equipment.** Every authorized emergency vehicle must 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'). (3-23-22)

**022. PROCEDURE.**

**01. Approval.** If the Director approves the application, he may issue a certificate of approval which is valid for thirty (30) days, during which time the emergency equipment may be installed. After installation of the emergency equipment, the applicant must 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 must certify the results of this examination on a form prescribed and provided by the department, and the applicant must file the form with the Idaho State Police. (3-23-22)

**02. Carried.** The certificate of approval, and when issued the agreement or copies thereof, including all endorsements for changes of conditions, must be carried in the authorized emergency vehicle or limited authorized emergency vehicle at all times and be displayed upon request of any law enforcement officer. (3-23-22)

**03. Violation.** Violation of any of the Rules is 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. (3-23-22)

**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. (3-23-22)

**05. Copy.** A copy of the authorized emergency vehicle certificate approved by the Director or limited authorization certificate approved by the Director must be carried in each authorized vehicle and shown to any peace officer upon request. (3-23-22)

**06. Valid.** Any renewals or new applications expire on June 30 of each subsequent year following. (3-23-22)

**023. -- 999. (RESERVED)**