**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4249**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Erickson

Document Path: LC-0230CM25.docx

Introduced in the House on March 27, 2025

Introduced in the Senate on April 30, 2025

Currently residing in the Senate Committee on **Transportation**

Summary: Emergency Scene Management

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/27/2025 House Introduced and read first time ([House Journal‑page 14](h:\hj\20250327.docx))

3/27/2025 House Referred to Committee on **Education and Public Works** ([House Journal‑page 14](h:\hj\20250327.docx))

4/24/2025 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 46](h:\hj\20250424.docx))

4/29/2025 House Read second time ([House Journal‑page 25](h:\hj\20250429.docx))

4/29/2025 House Roll call Yeas-107 Nays-0 ([House Journal‑page 26](h:\hj\20250429.docx))

4/30/2025 House Read third time and sent to Senate

4/30/2025 Senate Introduced and read first time

4/30/2025 Senate Referred to Committee on **Transportation**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4249&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/27/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4249_20250327.docx)

[04/24/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4249_20250424.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

April 24, 2025

H. 4249

Introduced by Rep. Erickson

S. Printed 4/24/25--H.

Read the first time March 27, 2025

\_\_\_\_\_\_\_\_

The committee on House Education and Public Works

To whom was referred a Bill (H. 4249) to amend the South Carolina Code of Laws by amending Section 56‑5‑1538, relating to the definitions of emergency scene management, so as to make technical changes, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass:

SHANNON ERICKSON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill requires the driver of a vehicle to ensure that the vehicle is kept under control when approaching or passing a motor vehicle stopped on or near the right of way of a street or highway when the stopped vehicle is displaying flashing hazard lights. The driver must also yield right of way by making a lane change, if possible, and must maintain a safe speed for road conditions. A person who violates either of these provisions is subject to a fine of not less than $300 nor more than $500.

**Department of Public Safety.** This bill requires DPS to perform activities that can be conducted in the normal course of business. Therefore, the bill will have no expenditure impact on DPS.

**Department of Motor Vehicles.** The bill does not operationally or fiscally impact DMV. Therefore, the bill will have no expenditure impact on DMV.

**Judicial.** This bill may result in an increase in the caseload in municipal and magistrates courts. Judicial provides support to these courts. Judicial anticipates that the potential increase in caseload can be managed within existing appropriations. However, Judicial indicates that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested.

State Revenue

This bill specifies that a person who fails to exercise control of a vehicle, yield the right of way, and maintain a safe speed for road conditions when approaching or passing a motor vehicle that is stopped on or near the right of way or a street or highway while displaying flashing hazard lights must be fined not less than $300 nor more than $500. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to General Fund and Other Funds revenue due to the change in fines and fees collections in court.

Local Expenditure

This bill creates the penalties for not exercising control of a vehicle, yielding the right of way, and maintaining a safe speed for road conditions when approaching or passing a motor vehicle that is stopped on or near the right of way or a street or highway while displaying flashing hazard lights.

This bill may result in an increase in the number of municipal and magistrates court cases, which may increase the workload of the court system. The potential increase in expenses will depend upon the increase in the number of cases. Judicial anticipates that the potential increase in caseload can be managed within existing appropriations. However, Judicial indicates that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

\_\_\_\_\_\_\_

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56‑5‑1538, RELATING TO THE DEFINITIONS OF EMERGENCY SCENE MANAGEMENT, SO AS TO make technical changes, PROVIDE DRIVERS SHALL ENSURE THEIR VEHICLEs are KEPT UNDER CONTROL WHEN APPROACHING OR PASSING other MOTOR VEHICLEs STOPPED ON OR NEAR THE RIGHT OF WAY OF STREETs OR HIGHWAYs, TO PROVIDE PERSONS DRIVING VEHICLEs APPROACHING other STATIONARY VEHICLEs DISPLAYING FLASHING HAZARD LIGHTS SHALL reduce their speed, YIELD THE RIGHT OF WAY, AND MAINTAIN SAFE SPEEDs when CHANGING LANES IS UNSAFE, AND TO PROVIDE PENALTIES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑5‑1538 of the S.C. Code is amended to read:

Section 56‑5‑1538. (A) An emergency scene is a location designated by the potential need to provide emergency medical care and is identified by emergency vehicles with flashing lights, rescue equipment, or emergency personnel on the scene.

(B) An emergency scene is a special hazard.

(C) An emergency scene is under the authority of the first arriving emergency personnel, which includes emergency medical services personnel, until the arrival of the fire or law enforcement officials having jurisdiction. All motor vehicles passing through an emergency scene and pedestrians observing an emergency scene must obey and not interfere with the duties of emergency personnel. Motor vehicles and bystanders may not block access to or exit from an emergency scene.

(D) The management authority of emergency medical services is limited to managing patient care and preventing further injury to the patients and on‑scene personnel. This authority may be delegated by emergency personnel to provide an adequate level of safety.

(E) A paid or volunteer worker at an emergency scene has proper authority to be at and control the scene in a manner consistent with his training.

(F) The driver of a vehicle shall ensure that the vehicle is kept under control when approaching or passing an emergency scene or authorized emergency vehicle stopped on or near the right‑of‑way of a street or highway with emergency lights flashing. The exercise of control required for a driver to comply with this section is that control possible and necessary by the driver to prevent causing a collision, to prevent causing injury to persons or property, and to avoid interference with the performance of emergency duties by emergency personnel, or interfering with the operation of an authorized emergency vehicle.

(G) A person driving a vehicle approaching a stationary authorized emergency vehicle that is giving a signal by displaying alternately flashing red, red and white, blue, or red and blue lights, or amber or yellow warning lights shall proceed with due caution, significantly reduce the speed of the vehicle, and:

(1) yield the right of way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) maintain a safe speed for road conditions, if changing lanes is impossible or unsafe.

(H) A person who violates the provisions of this section is guilty of the misdemeanor of endangering emergency services personnel or operators of authorized emergency vehicles and, upon conviction, must be fined not less than three hundred dollars nor more than five hundred dollars.

(I) The driver of a vehicle shall ensure that the vehicle is kept under control when approaching or passing a motor vehicle stopped on or near the right of way of a street or highway when the stopped vehicle is displaying flashing hazard lights. The exercise of control required for a driver to comply with this section is that control possible and necessary by the driver to prevent causing a collision or to prevent causing injury to persons or property.

(J) A person driving a vehicle approaching a stationary vehicle displaying flashing hazard lights shall proceed with caution, significantly reduce speed, and:

(1) yield right of way by making a lane change into a lane not adjacent to that of the stopped motor vehicle, if possible, with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) maintain a safe speed for road conditions, if changing lanes is impossible or unsafe.

(K) A person who violates the provisions of subsection (I) or (J) is subject to a fine not less than three hundred dollars nor more than five hundred dollars.

(L) For purposes of this section:

(1) “Authorized emergency vehicle” means any ambulance, police, fire, rescue, recovery, or towing vehicle authorized by this State, county, or municipality to respond to a traffic incident.

(2) “Emergency services personnel” means fire, police, or emergency medical services personnel (EMS) responding to an emergency incident.

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑