

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

Senate Bill 377

BY SENATORS TAKUBO AND WOELFEL

[Originating in the Committee on Transportation and
Infrastructure; reported February 26, 2024]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §17C-2-10, relating to permitting allopathic and osteopathic physicians to be
3 exempt from specified traffic laws in emergency situations when responding to an
4 emergency call; providing that physicians must still exercise due care for safety; and
5 requiring rulemaking by the West Virginia Board of Medicine and West Virginia Board of
6 Osteopathic Medicine.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS.

§17C-2-10. Physicians exempt from specified traffic laws when responding to emergency.

1 (a) An allopathic or osteopathic physician traveling in response to an emergency call shall
2 be exempt from the provisions of §17C-6-1, §17C-6-2, and §17C-6-3 of this code if the vehicle
3 used by the physician displays an emblem approved by the West Virginia Board of Medicine and
4 the West Virginia Board of Osteopathic Medicine indicating that the vehicle is owned by the
5 licensed physician and responding to an emergency call.

6 (b) The provisions of this section do not relieve the physician from the duty to drive with
7 due regard for the safety of all persons using the highway, and they do not protect the physician
8 from the consequences of acting in reckless disregard for the safety of others.

9 (c) The West Virginia Board of Medicine and West Virginia Board of Osteopathic Medicine
10 shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq.
11 of this code that set forth criteria to request an emblem from the respective boards, grounds to
12 use the emblem, and an administrative penalty if the emblem is used in inappropriate
13 circumstances.