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**AB-438 Authorized emergency vehicles.** (2025-2026)

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**Assembly Bill No. 438**

**CHAPTER 152**

An act to amend Section 2416 of the Vehicle Code, relating to vehicles.

[ Approved by Governor October 01, 2025. Filed with Secretary of State October 01, 2025. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 438, Hadwick. Authorized emergency vehicles.

Existing law authorizes the Commissioner of the California Highway Patrol to issue authorized emergency vehicle permits for certain vehicles, including any vehicle owned and operated by a public utility and any vehicle owned and operated by a fire company, as specified, upon a finding that the vehicle is used in responding to emergency calls for fire or law enforcement, the immediate preservation of life or property, or the apprehension of law violators.

This bill would authorize the commissioner to issue an emergency vehicle permit to any vehicle owned by a county, city, or city and county office of emergency services only while that vehicle is being used by a public employee who is employed by the office in responding to any disaster.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 2416 of the Vehicle Code is amended to read:

**2416.** (a) The Commissioner of the California Highway Patrol may issue authorized emergency vehicle permits only for the following vehicles, and then only upon a finding in each case that the vehicle is used in responding to emergency calls for fire or law enforcement, the immediate preservation of life or property, or the apprehension of law violators:

- (1) Any vehicle maintained in whole or in part by the state, a city, a county, or a city and county, and privately owned and operated by a marshal, deputy marshal, or person who is a member of, receives salary from, and is regularly employed by, a police department or sheriff's department, if the state, a city, a county, or a city and county does not furnish to that person a publicly owned authorized emergency vehicle.
- (2) Any vehicle owned and operated by a public utility, used primarily to accomplish emergency repairs to utility facilities or used primarily by railroad police officers, who are commissioned by the Governor, in the performance of their duties.
- (3) Firefighting or rescue equipment designed and operated exclusively as such.
- (4) Any vehicle operated by the chief, assistant chief, or one other uniformed person designated by the chief of a fire department organized as provided in the Health and Safety Code or the Government Code or a special act of the Legislature.

(5) Any vehicle of an air pollution control district used to enforce law relating to air pollution from motor vehicles.

(6) Any vehicle operated by the chief of a fire department established on any base of the Armed Forces of the United States.

(7) Any vehicle owned and operated by a fire company organized pursuant to Part 4 (commencing with Section 14825) of Division 12 of the Health and Safety Code.

(8) A privately owned ambulance licensed pursuant to Chapter 2.5 (commencing with Section 2500).

(9) Any vehicle other than a privately owned ambulance used by privately owned ambulance operators exclusively to transport medical supplies, lifesaving equipment, or personnel to the scene of an emergency when a request for medical supplies, lifesaving equipment, or personnel has been made by any person or public agency responsible for providing emergency medical transportation. The vehicle shall display a sign or lettering not less than two and one-half inches in height, in a color providing a sharp contrast to its background, on each side showing the name of the ambulance operator.

(10) Any vehicle owned and operated by an office or department of a city, county, city and county, or district that is designated by an ordinance adopted by the governing body of that local agency as a hazardous materials response team vehicle for response to hazardous materials emergencies.

(11) Any vehicle owned by a county, city, or city and county office of emergency services only while that vehicle is being used by a public employee who is employed by the office in responding to any disaster, including, but not limited to, a fire, flood, earthquake, tsunami, or hazardous materials spill.

(b) The commissioner may adopt and enforce regulations to implement this section.

(c) Violation of any regulation adopted by the commissioner pursuant to this section is a misdemeanor.