

(6) Special vehicles funded or provided by federal, State, or local government and used for emergency or rescue purposes in this State.

21-1120.

(a) A person may not drive a motor vehicle on any highway or on any private property that is used by the public in general in this State while the person is wearing over or in both ears earplugs.

(b) A person may not drive a motor vehicle on any highway or on any private property that is used by the public in general in this State while the person is wearing over or in both ears a headset.

(c) A person may not drive a motor vehicle on any highway or on any private property that is used by the public in general in this State while the person is wearing over or in both ears earphones attached to a radio, tape player, or other audio device.

(d) The provisions of subsections (a), (b), and (c) of this section do not apply to:

[(1) A person operating an authorized emergency vehicle under emergency conditions;]

[(2)](1) A person engaged in the operation of either special construction equipment or equipment for use in the maintenance of any highway;

[(3)](2) A person engaged in the operation of refuse collection equipment who is wearing a safety headset or safety earplugs;

[(4)](3) A person wearing personal hearing protectors in the form of custom earplugs or molds that are designed to reduce injurious noise levels. However, custom plugs or molds shall be designed in such a manner as to not inhibit the wearer's ability to hear a siren or horn from an emergency vehicle or a horn from another vehicle; or

[(5)](4) A person wearing a prosthetic device used to aid the hard of hearing.

(E) (1) THE PROVISIONS OF SUBSECTIONS (A) AND (C) OF THIS SECTION DO NOT APPLY TO A PERSON OPERATING AN AUTHORIZED EMERGENCY VEHICLE UNDER EMERGENCY CONDITIONS.

(2) THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION DO NOT APPLY TO A PERSON OPERATING AN AUTHORIZED EMERGENCY VEHICLE:

(I) UNDER EMERGENCY CONDITIONS; OR

(II) WHO IS WEARING A HEADSET FOR THE PURPOSE OF COMMUNICATING WITH OTHER EMERGENCY PERSONNEL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

Approved May 27, 1993.