

***Effective 5/12/2015***

**39-1-54 Privilege from arrest or citation -- Exceptions.**

- (1) A member of the National Guard is privileged from arrest or citation by civil authorities:
  - (a) during military formations, exercises, mobilizations, or other duty when exigent, perilous, emergency, or similar circumstances require the member's presence; and
  - (b) while traveling to and from military duty locations when exigent, perilous, emergency, or similar circumstances require the member's presence.
- (2) This privilege does not extend to arrest or citation for:
  - (a) treason;
  - (b) any class A misdemeanor or felony;
  - (c) breach of the peace; or
  - (d) operation of a vehicle in a reckless manner or while under the influence of any drug or alcohol.

Amended by Chapter 391, 2015 General Session