HB2499 Engrossed

1

AN ACT concerning transportation.

## Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by changing
Sections 1-105 and 12-215 as follows:

6 (625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)

7 1-105. Authorized emergency vehicle. Sec. Emergency 8 vehicles of municipal departments or public service 9 corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the fire department; 10 vehicles of a HazMat or technical rescue team authorized by a 11 county board under Section 5-1127 of the Counties Code; 12 13 ambulances; vehicles of the Illinois Department of 14 Corrections; vehicles of the Illinois Department of Juvenile Justice; vehicles of the Illinois Emergency Management Agency; 15 16 vehicles of the Office of the Illinois State Fire Marshal; mine 17 rescue and explosives emergency response vehicles of the Department of Natural Resources; vehicles of the Illinois 18 19 Department of Public Health; vehicles of the Illinois State 20 Toll Highway Authority with a gross vehicle weight rating of 21 9,000 pounds or more and those identified as Highway Emergency 22 Patrol; vehicles of the Illinois Department Lane of Transportation identified as Emergency Traffic Patrol; and 23

HB2499 Engrossed - 2 - LRB100 08732 AXK 18870 b

vehicles of a municipal or county emergency services and
 disaster agency, as defined by the Illinois Emergency
 Management Agency Act.

4 (Source: P.A. 97-149, eff. 7-14-11; 97-333, eff. 7-12-11;
5 98-123, eff. 1-1-14; 98-468, eff. 8-16-13; 98-756, eff.
6 7-16-14; 98-873, eff. 1-1-15.)

7 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

8 Sec. 12-215. Oscillating, rotating or flashing lights on 9 motor vehicles. Except as otherwise provided in this Code:

10 (a) The use of red or white oscillating, rotating or 11 flashing lights, whether lighted or unlighted, is prohibited 12 except on:

Law enforcement vehicles of State, Federal or local
 authorities;

A vehicle operated by a police officer or county
 coroner and designated or authorized by local authorities,
 in writing, as a law enforcement vehicle; however, such
 designation or authorization must be carried in the
 vehicle;

20 2.1. A vehicle operated by a fire chief who has 21 completed an emergency vehicle operation training course 22 approved by the Office of the State Fire Marshal and 23 designated or authorized by local authorities, in writing, 24 as a fire department, fire protection district, or township 25 fire department vehicle; however, the designation or HB2499 Engrossed - 3 - LRB100 08732 AXK 18870 b

1 authorization must be carried in the vehicle, and the 2 lights may be visible or activated only when responding to 3 a bona fide emergency;

3. Vehicles of local fire departments and State or
5 federal firefighting vehicles;

4. Vehicles which are designed and used exclusively as
ambulances or rescue vehicles; furthermore, such lights
shall not be lighted except when responding to an emergency
call for and while actually conveying the sick or injured;

10 4.5. Vehicles which are occasionally used as rescue 11 vehicles that have been authorized for use as rescue 12 vehicles by a volunteer EMS provider, provided that the 13 operator of the vehicle has successfully completed an 14 emergency vehicle operation training course recognized by 15 the Department of Public Health; furthermore, the lights 16 shall not be lighted except when responding to an emergency 17 call for the sick or injured;

18 5. Tow trucks licensed in a state that requires such 19 lights; furthermore, such lights shall not be lighted on 20 any such tow truck while the tow truck is operating in the 21 State of Illinois;

22 6. Vehicles of the Illinois Emergency Management 23 Agency, vehicles of the Office of the Illinois State Fire 24 Marshal, vehicles of the Illinois Department of Public 25 Health, vehicles of Illinois the Department of 26 Corrections, and vehicles of the Illinois Department of HB2499 Engrossed

- 4 - LRB100 08732 AXK 18870 b

1 Juvenile Justice;

5

6

7. Vehicles operated by a local or county emergency
management services agency as defined in the Illinois
Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code;

7 9. Vehicles that are equipped and used exclusively as 8 organ transplant vehicles when used in combination with 9 oscillating, rotating, or flashing blue lights; 10 furthermore, these lights shall be lighted only when the 11 transportation is declared an emergency by a member of the 12 transplant team а representative of or the organ 13 procurement organization;

14 10. Vehicles of the Illinois Department of Natural
15 Resources that are used for mine rescue and explosives
16 emergency response;

17 11. Vehicles of Illinois the Department of 18 Transportation identified as Emergency Traffic Patrol; the 19 lights shall not be lighted except when responding to an 20 emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the 21 22 emergency; and

12. Vehicles of the Illinois State Toll Highway
 Authority with a gross vehicle weight rating of 9,000
 pounds or more and those identified as Highway Emergency
 Lane Patrol; the lights shall not be lighted except when

HB2499 Engrossed - 5 - LRB100 08732 AXK 18870 b

1 responding to an emergency call or when parked or 2 stationary while engaged in motor vehicle assistance or at 3 the scene of the emergency.

4 (b) The use of amber oscillating, rotating or flashing
5 lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for 6 7 towing or hoisting vehicles; furthermore, such lights 8 shall not be lighted except as required in this paragraph 9 1; such lights shall be lighted when such vehicles are 10 actually being used at the scene of an accident or 11 disablement; if the towing vehicle is equipped with a flat 12 bed that supports all wheels of the vehicle being 13 transported, the lights shall not be lighted while the 14 vehicle is engaged in towing on a highway; if the towing 15 vehicle is not equipped with a flat bed that supports all 16 wheels of a vehicle being transported, the lights shall be 17 lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is 18 required under Section 12-201 of this Code; in addition, 19 20 these vehicles may use white oscillating, rotating, or 21 flashing lights in combination with amber oscillating, 22 rotating, or flashing lights as provided in this paragraph;

23 2. Motor vehicles or equipment of the State of 24 Illinois, the Illinois State Toll Highway Authority, local 25 authorities and contractors; furthermore, such lights 26 shall not be lighted except while such vehicles are engaged HB2499 Engrossed - 6 - LRB100 08732 AXK 18870 b

in maintenance or construction operations within the
 limits of construction projects;

3 3. Vehicles or equipment used by engineering or survey
4 crews; furthermore, such lights shall not be lighted except
5 while such vehicles are actually engaged in work on a
6 highway;

Vehicles of public utilities, municipalities, or
other construction, maintenance or automotive service
vehicles except that such lights shall be lighted only as a
means for indicating the presence of a vehicular traffic
hazard requiring unusual care in approaching, overtaking
or passing while such vehicles are engaged in maintenance,
service or construction on a highway;

5. Oversized vehicle or load; however, such lights
shall only be lighted when moving under permit issued by
the Department under Section 15-301 of this Code;

17 6. The front and rear of motorized equipment owned and
18 operated by the State of Illinois or any political
19 subdivision thereof, which is designed and used for removal
20 of snow and ice from highways;

6.1. The front and rear of motorized equipment or vehicles that (i) are not owned by the State of Illinois or any political subdivision of the State, (ii) are designed and used for removal of snow and ice from highways and parking lots, and (iii) are equipped with a snow plow that is 12 feet in width; these lights may not be lighted except HB2499 Engrossed - 7 - LRB100 08732 AXK 18870 b

1 2 when the motorized equipment or vehicle is actually being used for those purposes on behalf of a unit of government;

7. Fleet safety vehicles registered in another state,
furthermore, such lights shall not be lighted except as
provided for in Section 12-212 of this Code;

8. Such other vehicles as may be authorized by local
authorities;

8 9. Law enforcement vehicles of State or local
9 authorities when used in combination with red oscillating,
10 rotating or flashing lights;

11

9.5. Propane delivery trucks;

12 10. Vehicles used for collecting or delivering mail for 13 the United States Postal Service provided that such lights 14 shall not be lighted except when such vehicles are actually 15 being used for such purposes;

16 10.5. Vehicles of the Office of the Illinois State Fire 17 Marshal, provided that such lights shall not be lighted 18 except for when such vehicles are engaged in work for the 19 Office of the Illinois State Fire Marshal;

20 11. Any vehicle displaying a slow-moving vehicle
21 emblem as provided in Section 12-205.1;

12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage, recycling, or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes; HB2499 Engrossed

## - 8 - LRB100 08732 AXK 18870 b

1 13. Vehicles used by a security company, alarm 2 responder, control agency, or the Illinois Department of 3 Corrections;

4 14. Security vehicles of the Department of Human
5 Services; however, the lights shall not be lighted except
6 when being used for security related purposes under the
7 direction of the superintendent of the facility where the
8 vehicle is located; and

9 15. Vehicles of union representatives, except that the 10 lights shall be lighted only while the vehicle is within 11 the limits of a construction project.

12 (c) The use of blue oscillating, rotating or flashing13 lights, whether lighted or unlighted, is prohibited except on:

Rescue squad vehicles not owned by a fire department
 and vehicles owned or operated by a:

16 voluntary firefighter;

17 paid firefighter;

18 part-paid firefighter;

19 call firefighter;

22

20 member of the board of trustees of a fire 21 protection district;

paid or unpaid member of a rescue squad;

23 paid or unpaid member of a voluntary ambulance 24 unit; or

25 paid or unpaid members of a local or county 26 emergency management services agency as defined in the HB2499 Engrossed - 9 - LRB100 08732 AXK 18870 b

1 Illinois Emergency Management Agency Act, designated 2 or authorized by local authorities, in writing, and 3 carrying that designation or authorization in the 4 vehicle.

5 However, such lights are not to be lighted except when 6 responding to a bona fide emergency or when parked or 7 stationary at the scene of a fire, rescue call, ambulance 8 call, or motor vehicle accident.

9 Any person using these lights in accordance with this 10 subdivision (c)1 must carry on his or her person an 11 identification card or letter identifying the bona fide 12 member of a fire department, fire protection district, 13 rescue squad, ambulance unit, or emergency management 14 services agency that owns or operates that vehicle. The 15 card or letter must include:

16 (A) the name of the fire department, fire
17 protection district, rescue squad, ambulance unit, or
18 emergency management services agency;

19 (B) the member's position within the fire 20 department, fire protection district, rescue squad, 21 ambulance unit, or emergency management services 22 agency;

(C) the member's term of service; and

(D) the name of a person within the fire
department, fire protection district, rescue squad,
ambulance unit, or emergency management services

23

1

agency to contact to verify the information provided.

2. Police department vehicles in cities having a
 3 population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local
authorities when used in combination with red oscillating,
rotating or flashing lights.

Vehicles of local fire departments and State or
federal firefighting vehicles when used in combination
with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as
ambulances or rescue vehicles when used in combination with
red oscillating, rotating or flashing lights; furthermore,
such lights shall not be lighted except when responding to
an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.

21 7. Vehicles of the Illinois Emergency Management 22 Agency, vehicles of the Office of the Illinois State Fire 23 Marshal, vehicles of the Illinois Department of Public 24 Health, vehicles of the Illinois Department of 25 Corrections, and vehicles of the Illinois Department of 26 Juvenile Justice, when used in combination with red HB2499 Engrossed - 11 - LRB100 08732 AXK 18870 b

1

oscillating, rotating, or flashing lights.

8. Vehicles operated by a local or county emergency
 management services agency as defined in the Illinois
 Emergency Management Agency Act, when used in combination
 with red oscillating, rotating, or flashing lights.

9. Vehicles of the Illinois Department of Natural
Resources that are used for mine rescue and explosives
emergency response, when used in combination with red
oscillating, rotating, or flashing lights.

10 (c-1) In addition to the blue oscillating, rotating, or 11 flashing lights permitted under subsection (C), and 12 notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or 13 14 a member of a voluntary ambulance unit may be equipped with 15 flashing white headlights and blue grill lights, which may be 16 used only in responding to an emergency call or when parked or 17 stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident. 18

(c-2) In addition to the blue oscillating, rotating, or 19 20 flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or 21 22 unpaid member of a local or county emergency management 23 services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, 24 25 or flashing lights to be used in combination with blue 26 oscillating, rotating, or flashing lights, if authorization by HB2499 Engrossed - 12 - LRB100 08732 AXK 18870 b

1 local authorities is in writing and carried in the vehicle.

2 The use of a combination of amber and white (d) 3 oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on second division vehicles 4 5 designed and used for towing or hoisting vehicles or motor 6 equipment of the State of vehicles or Illinois, local 7 authorities, contractors, and union representatives; 8 furthermore, such lights shall not be lighted on second 9 division vehicles designed and used for towing or hoisting 10 vehicles or vehicles of the State of Illinois, local 11 authorities, and contractors except while such vehicles are 12 highway maintenance, engaged in а tow operation, or 13 operations within the construction limits of highway 14 construction projects, and shall not be lighted on the vehicles 15 of union representatives except when those vehicles are within 16 the limits of a construction project.

(e) All oscillating, rotating or flashing lights referred
to in this Section shall be of sufficient intensity, when
illuminated, to be visible at 500 feet in normal sunlight.

20 (f) Nothing in this Section shall prohibit a manufacturer 21 of oscillating, rotating or flashing lights or his 22 representative or authorized vendor from temporarily mounting 23 such lights on a vehicle for demonstration purposes only. If the lights are not covered while the vehicle is operated upon a 24 25 highway, the vehicle shall display signage indicating that the 26 vehicle is out of service or not an emergency vehicle. The

HB2499 Engrossed - 13 - LRB100 08732 AXK 18870 b

signage shall be displayed on all sides of the vehicle in letters at least 2 inches tall and one-half inch wide. A vehicle authorized to have oscillating, rotating, or flashing lights mounted for demonstration purposes may not activate the lights while the vehicle is operated upon a highway.

(g) Any person violating the provisions of subsections (a),
(b), (c) or (d) of this Section who without lawful authority
stops or detains or attempts to stop or detain another person
shall be guilty of a Class 2 felony.

(h) Except as provided in subsection (g) above, any person
violating the provisions of subsections (a) or (c) of this
Section shall be guilty of a Class A misdemeanor.

13 (Source: P.A. 98-80, eff. 7-15-13; 98-123, eff. 1-1-14; 98-468, 14 eff. 8-16-13; 98-756, eff. 7-16-14; 98-873, eff. 1-1-15; 99-40, 15 eff. 1-1-16; 99-78, eff. 7-20-15; 99-125, eff. 1-1-16; 99-642, 16 eff. 7-28-16.)

Section 99. Effective date. This Act takes effect uponbecoming law.