

# HB2067



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2067

by Rep. Thomas M. Bennett

### SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-215

from Ch. 95 1/2, par. 12-215

Amends the Illinois Vehicle Code. Provides that vehicles operated by a not-for-profit emergency management organization are not prohibited from using red or white oscillating, rotating, or flashing lights. Effective immediately.

LRB101 07296 TAE 52335 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 12-215 as follows:

6 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

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

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

12 1. Law enforcement vehicles of State, Federal or local  
13 authorities;

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

19 2.1. A vehicle operated by a fire chief who has  
20 completed an emergency vehicle operation training course  
21 approved by the Office of the State Fire Marshal and  
22 designated or authorized by local authorities, in writing,  
23 as a fire department, fire protection district, or township

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

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

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

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

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

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

1 Corrections, and vehicles of the Illinois Department of  
2 Juvenile Justice;

3 7. Vehicles operated by a local or county emergency  
4 management services agency, as defined in the Illinois  
5 Emergency Management Agency Act, or by a not-for-profit  
6 emergency management organization;

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

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

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

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

25 12. Vehicles of the Illinois State Toll Highway  
26 Authority with a gross vehicle weight rating of 9,000

1 pounds or more and those identified as Highway Emergency  
2 Lane Patrol; the lights shall not be lighted except when  
3 responding to an emergency call or when parked or  
4 stationary while engaged in motor vehicle assistance or at  
5 the scene of the emergency.

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

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

25 2. Motor vehicles or equipment of the State of  
26 Illinois, the Illinois State Toll Highway Authority, local

1 authorities and contractors; furthermore, such lights  
2 shall not be lighted except while such vehicles are engaged  
3 in maintenance or construction operations within the  
4 limits of construction projects;

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

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

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

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

23 6.1. The front and rear of motorized equipment or  
24 vehicles that (i) are not owned by the State of Illinois or  
25 any political subdivision of the State, (ii) are designed  
26 and used for removal of snow and ice from highways and

1 parking lots, and (iii) are equipped with a snow plow that  
2 is 12 feet in width; these lights may not be lighted except  
3 when the motorized equipment or vehicle is actually being  
4 used for those purposes on behalf of a unit of government;

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

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

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

13 9.5. Propane delivery trucks;

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

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

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

24 12. All trucks equipped with self-compactors or  
25 roll-off hoists and roll-on containers for garbage,  
26 recycling, or refuse hauling. Such lights shall not be

1 lighted except when such vehicles are actually being used  
2 for such purposes;

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

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

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

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

16 1. Rescue squad vehicles not owned by a fire department  
17 and vehicles owned or operated by a:

18 voluntary firefighter;

19 paid firefighter;

20 part-paid firefighter;

21 call firefighter;

22 member of the board of trustees of a fire  
23 protection district;

24 paid or unpaid member of a rescue squad;

25 paid or unpaid member of a voluntary ambulance  
26 unit; or



1           paid or unpaid members of a local or county  
2           emergency management services agency as defined in the  
3           Illinois Emergency Management Agency Act, designated  
4           or authorized by local authorities, in writing, and  
5           carrying that designation or authorization in the  
6           vehicle.

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

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

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

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

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

26                (D) the name of a person within the fire

1 department, fire protection district, rescue squad,  
2 ambulance unit, or emergency management services  
3 agency to contact to verify the information provided.

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

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

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

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

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

23 7. Vehicles of the Illinois Emergency Management  
24 Agency, vehicles of the Office of the Illinois State Fire  
25 Marshal, vehicles of the Illinois Department of Public  
26 Health, vehicles of the Illinois Department of

1 Corrections, and vehicles of the Illinois Department of  
2 Juvenile Justice, when used in combination with red  
3 oscillating, rotating, or flashing lights.

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

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

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

21 (c-2) In addition to the blue oscillating, rotating, or  
22 flashing lights permitted under subsection (c), and  
23 notwithstanding subsection (a), a vehicle operated by a paid or  
24 unpaid member of a local or county emergency management  
25 services agency as defined in the Illinois Emergency Management  
26 Agency Act, may be equipped with white oscillating, rotating,

1 or flashing lights to be used in combination with blue  
2 oscillating, rotating, or flashing lights, if authorization by  
3 local authorities is in writing and carried in the vehicle.

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

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

22 (f) Nothing in this Section shall prohibit a manufacturer  
23 of oscillating, rotating or flashing lights or his  
24 representative or authorized vendor from temporarily mounting  
25 such lights on a vehicle for demonstration purposes only. If  
26 the lights are not covered while the vehicle is operated upon a

1 highway, the vehicle shall display signage indicating that the  
2 vehicle is out of service or not an emergency vehicle. The  
3 signage shall be displayed on all sides of the vehicle in  
4 letters at least 2 inches tall and one-half inch wide. A  
5 vehicle authorized to have oscillating, rotating, or flashing  
6 lights mounted for demonstration purposes may not activate the  
7 lights while the vehicle is operated upon a highway.

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

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

15 (Source: P.A. 99-40, eff. 1-1-16; 99-78, eff. 7-20-15; 99-125,  
16 eff. 1-1-16; 99-642, eff. 7-28-16; 100-62, eff. 8-11-17.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.