



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**HB4348**

Introduced 02/02/04, by Carolyn H. Krause

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/12-215

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

Amends the Illinois Vehicle Code. Provides that tow trucks are permitted to use red oscillating, rotating, or flashing lights in the same manner they are permitted to use amber lights of that type. Provides that the red lights may be used either alone or in combination with amber lights.

LRB093 18457 DRH 44169 b

1 AN ACT concerning vehicles.

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

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

25 5. Tow trucks licensed in a state that requires such  
26 lights; furthermore, such lights shall not be lighted on  
27 any such tow truck while the tow truck is operating in the  
28 State of Illinois;

29 5.1. Second division vehicles designed and used for  
30 towing or hoisting vehicles; however, these vehicles may  
31 operate only red oscillating, rotating, or flashing lights  
32 under this subdivision (a)5.1, either alone or in

1 combination with the amber oscillating, rotating, or  
2 flashing lights permitted for use by these vehicles under  
3 subdivision (b)1 of this Section, and the lights permitted  
4 under this subdivision (a)5.1 may be used only in the  
5 manner prescribed in subdivision (b)1 for the use of the  
6 lights permitted under that subdivision;

7 6. Vehicles of the Illinois Emergency Management  
8 Agency, and vehicles of the Department of Nuclear Safety;

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

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

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

16 1. Second division vehicles designed and used for  
17 towing or hoisting vehicles; furthermore, such lights  
18 shall not be lighted except as required in this paragraph  
19 1; such lights shall be lighted when such vehicles are  
20 actually being used at the scene of an accident or  
21 disablement; if the towing vehicle is equipped with a flat  
22 bed that supports all wheels of the vehicle being  
23 transported, the lights shall not be lighted while the  
24 vehicle is engaged in towing on a highway; if the towing  
25 vehicle is not equipped with a flat bed that supports all  
26 wheels of a vehicle being transported, the lights shall be  
27 lighted while the towing vehicle is engaged in towing on a  
28 highway during all times when the use of headlights is  
29 required under Section 12-201 of this Code;

30 2. Motor vehicles or equipment of the State of  
31 Illinois, local authorities and contractors; furthermore,  
32 such lights shall not be lighted except while such vehicles  
33 are engaged in maintenance or construction operations  
34 within the limits of construction projects;

35 3. Vehicles or equipment used by engineering or survey  
36 crews; furthermore, such lights shall not be lighted except

1 while such vehicles are actually engaged in work on a  
2 highway;

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

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

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

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

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

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

25 9.5. Propane delivery trucks;

26 10. Vehicles used for collecting or delivering mail for  
27 the United States Postal Service provided that such lights  
28 shall not be lighted except when such vehicles are actually  
29 being used for such purposes;

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

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

1           13. Vehicles used by a security company, alarm  
2 responder, or control agency;

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

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

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

13           1. Rescue squad vehicles not owned by a fire department  
14 and vehicles owned or fully operated by a:

15                     voluntary firefighter;

16                     paid firefighter;

17                     part-paid firefighter;

18                     call firefighter;

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

21                     paid or unpaid member of a rescue squad;

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

24                     paid or unpaid members of a local or county  
25 emergency management services agency as defined in the  
26 Illinois Emergency Management Agency Act, designated  
27 or authorized by local authorities, in writing, and  
28 carrying that designation or authorization in the  
29 vehicle.

30           However, such lights are not to be lighted except when  
31 responding to a bona fide emergency.

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

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

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

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

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

15           7. Vehicles of the Illinois Emergency Management  
16 Agency and vehicles of the Department of Nuclear Safety,  
17 when used in combination with red oscillating, rotating, or  
18 flashing lights.

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

23           (c-1) In addition to the blue oscillating, rotating, or  
24 flashing lights permitted under subsection (c), and  
25 notwithstanding subsection (a), a vehicle operated by a  
26 voluntary firefighter, a voluntary member of a rescue squad, or  
27 a member of a voluntary ambulance unit may be equipped with  
28 flashing white headlights and blue grill lights, which may be  
29 used only in responding to an emergency call.

30           (c-2) In addition to the blue oscillating, rotating, or  
31 flashing lights permitted under subsection (c), and  
32 notwithstanding subsection (a), a vehicle operated by a paid or  
33 unpaid member of a local or county emergency management  
34 services agency as defined in the Illinois Emergency Management  
35 Agency Act, may be equipped with white oscillating, rotating,  
36 or flashing lights to be used in combination with blue

1 oscillating, rotating, or flashing lights, if authorization by  
2 local authorities is in writing and carried in the vehicle.

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

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

18 (f) Nothing in this Section shall prohibit a manufacturer  
19 of oscillating, rotating or flashing lights or his  
20 representative from temporarily mounting such lights on a  
21 vehicle for demonstration purposes only.

22 (g) Any person violating the provisions of subsections (a),  
23 (b), (c) or (d) of this Section who without lawful authority  
24 stops or detains or attempts to stop or detain another person  
25 shall be guilty of a Class 4 felony.

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

29 (Source: P.A. 92-138, eff. 7-24-01; 92-407, eff. 8-17-01;  
30 92-651, eff. 7-11-02; 92-782, eff. 8-6-02; 92-820, eff.  
31 8-21-02; 92-872, eff. 6-1-03; 93-181, eff. 1-1-04.)