



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2136

Introduced 10/19/2005, by Sen. John O. Jones

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-215

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

Amends the Illinois Vehicle Code. Provides that vehicles owned and operated by paid or unpaid members of a local or county emergency management services agency may use blue oscillating, rotating, or flashing lights, when used in combination with red oscillating, rotating, or flashing lights. Provides that these lights may not be lighted except when responding to a bona fide emergency. Effective immediately.

LRB094 14355 DRH 49278 b

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
24 fire department vehicle; however, the designation or
25 authorization must be carried in the vehicle, and the
26 lights may be visible or activated only when responding to
27 a bona fide emergency;

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

30 4. Vehicles which are designed and used exclusively as
31 ambulances or rescue vehicles; furthermore, such lights
32 shall not be lighted except when responding to an emergency

1 call for and while actually conveying the sick or injured;

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

6 6. Vehicles of the Illinois Emergency Management
7 Agency, vehicles of the Illinois Department of Public
8 Health, 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;

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

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

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

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

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

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

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

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

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

24 (6.1) The front and rear of motorized equipment or
25 vehicles that (i) are not owned by the State of Illinois or
26 any political subdivision of the State, (ii) are designed
27 and used for removal of snow and ice from highways and
28 parking lots, and (iii) are equipped with a snow plow that
29 is 12 feet in width; these lights may not be lighted except
30 when the motorized equipment or vehicle is actually being
31 used for those purposes on behalf of a unit of government;

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

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

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

4 9.5. Propane delivery trucks;

5 10. Vehicles used for collecting or delivering mail for
6 the United States Postal Service provided that such lights
7 shall not be lighted except when such vehicles are actually
8 being used for such purposes;

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

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

16 13. Vehicles used by a security company, alarm
17 responder, or control agency;

18 14. Security vehicles of the Department of Human
19 Services; however, the lights shall not be lighted except
20 when being used for security related purposes under the
21 direction of the superintendent of the facility where the
22 vehicle is located; and

23 15. Vehicles of union representatives, except that the
24 lights shall be lighted only while the vehicle is within
25 the limits of a construction project.

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

28 1. Rescue squad vehicles not owned by a fire department
29 and vehicles owned or operated by a:

30 voluntary firefighter;

31 paid firefighter;

32 part-paid firefighter;

33 call firefighter;

34 member of the board of trustees of a fire
35 protection district;

36 paid or unpaid member of a rescue squad;

1 paid or unpaid member of a voluntary ambulance
2 unit; or

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

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

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
27 department, fire protection district, rescue squad,
28 ambulance unit, or emergency management services
29 agency to contact to verify the information provided.

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

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

35 4. Vehicles of local fire departments and State or
36 federal firefighting vehicles when used in combination

1 with red oscillating, rotating or flashing lights.

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

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

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

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

22 9. Vehicles owned and operated by paid or unpaid
23 members of a local or county emergency management services
24 agency, when used in combination with red oscillating,
25 rotating, or flashing lights. These lights, however, may
26 not be lighted except when responding to a bona fide
27 emergency.

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

35 (c-2) In addition to the blue oscillating, rotating, or
36 flashing lights permitted under subsection (c), and

1 notwithstanding subsection (a), a vehicle operated by a paid or
2 unpaid member of a local or county emergency management
3 services agency as defined in the Illinois Emergency Management
4 Agency Act, may be equipped with white oscillating, rotating,
5 or flashing lights to be used in combination with blue
6 oscillating, rotating, or flashing lights, if authorization by
7 local authorities is in writing and carried in the vehicle.

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

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

23 (f) Nothing in this Section shall prohibit a manufacturer
24 of oscillating, rotating or flashing lights or his
25 representative from temporarily mounting such lights on a
26 vehicle for demonstration purposes only.

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

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

34 (Source: P.A. 93-181, eff. 1-1-04; 93-725, eff. 1-1-05; 93-794,
35 eff. 7-22-04; 93-829, eff. 7-28-04; 94-143, eff. 1-1-06;
36 94-270, eff. 1-1-06; 94-331, eff. 1-1-06; revised 8-19-05.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.