

HB5535



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5535

by Rep. Rich Brauer

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 local or county search and rescue services 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.

LRB095 15350 DRH 41338 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 5. Tow trucks licensed in a state that requires such
12 lights; furthermore, such lights shall not be lighted on
13 any such tow truck while the tow truck is operating in the
14 State of Illinois;

15 6. Vehicles of the Illinois Emergency Management
16 Agency, vehicles of the Illinois Department of Public
17 Health, and vehicles of the Department of Nuclear Safety;

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

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

23 9. Vehicles that are equipped and used exclusively as
24 organ transplant vehicles when used in combination with
25 blue oscillating, rotating, or flashing lights;
26 furthermore, these lights shall be lighted only when the

1 transportation is declared an emergency by a member of the
2 transplant team or a representative of the organ
3 procurement organization.

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

6 1. Second division vehicles designed and used for
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
18 highway during all times when the use of headlights is
19 required under Section 12-201 of this Code;

20 2. Motor vehicles or equipment of the State of
21 Illinois, local authorities and contractors; furthermore,
22 such lights shall not be lighted except while such vehicles
23 are engaged in maintenance or construction operations
24 within the limits of construction projects;

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

25 7. Fleet safety vehicles registered in another state,
26 furthermore, such lights shall not be lighted except as

1 provided for in Section 12-212 of this Code;

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

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

7 9.5. Propane delivery trucks;

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

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

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

19 13. Vehicles used by a security company, alarm
20 responder, or control agency;

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

26 15. Vehicles of union representatives, except that the

1 lights shall be lighted only while the vehicle is within
2 the limits of a construction project.

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

5 1. Rescue squad vehicles not owned by a fire department
6 and vehicles owned or operated by a:

7 voluntary firefighter;

8 paid firefighter;

9 part-paid firefighter;

10 call firefighter;

11 member of the board of trustees of a fire
12 protection district;

13 paid or unpaid member of a rescue squad;

14 paid or unpaid member of a voluntary ambulance
15 unit; or

16 paid or unpaid members of a local or county
17 emergency management services agency as defined in the
18 Illinois Emergency Management Agency Act, designated
19 or authorized by local authorities, in writing, and
20 carrying that designation or authorization in the
21 vehicle.

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

24 Any person using these lights in accordance with this
25 subdivision (c)1 must carry on his or her person an
26 identification card or letter identifying the bona fide

1 member of a fire department, fire protection district,
2 rescue squad, ambulance unit, or emergency management
3 services agency that owns or operates that vehicle. The
4 card or letter must include:

5 (A) the name of the fire department, fire
6 protection district, rescue squad, ambulance unit, or
7 emergency management services agency;

8 (B) the member's position within the fire
9 department, fire protection district, rescue squad,
10 ambulance unit, or emergency management services
11 agency;

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

13 (D) the name of a person within the fire
14 department, fire protection district, rescue squad,
15 ambulance unit, or emergency management services
16 agency to contact to verify the information provided.

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

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

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

25 5. Vehicles which are designed and used exclusively as
26 ambulances or rescue vehicles when used in combination with

1 red oscillating, rotating or flashing lights; furthermore,
2 such lights shall not be lighted except when responding to
3 an emergency call.

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

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

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

19 9. Vehicles owned and operated by paid or unpaid
20 members of local or county search and rescue services, when
21 used in combination with red oscillating, rotating, or
22 flashing lights. These lights, however, may not be lighted
23 except when responding to a bona fide emergency.

24 (c-1) In addition to the blue oscillating, rotating, or
25 flashing lights permitted under subsection (c), and
26 notwithstanding subsection (a), a vehicle operated by a

1 voluntary firefighter, a voluntary member of a rescue squad, or
2 a member of a voluntary ambulance unit may be equipped with
3 flashing white headlights and blue grill lights, which may be
4 used only in responding to an emergency call.

5 (c-2) In addition to the blue oscillating, rotating, or
6 flashing lights permitted under subsection (c), and
7 notwithstanding subsection (a), a vehicle operated by a paid or
8 unpaid member of a local or county emergency management
9 services agency as defined in the Illinois Emergency Management
10 Agency Act, may be equipped with white oscillating, rotating,
11 or flashing lights to be used in combination with blue
12 oscillating, rotating, or flashing lights, if authorization by
13 local authorities is in writing and carried in the vehicle.

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

26 (e) All oscillating, rotating or flashing lights referred

1 to in this Section shall be of sufficient intensity, when
2 illuminated, to be visible at 500 feet in normal sunlight.

3 (f) Nothing in this Section shall prohibit a manufacturer
4 of oscillating, rotating or flashing lights or his
5 representative from temporarily mounting such lights on a
6 vehicle for demonstration purposes only.

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

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

14 (Source: P.A. 93-181, eff. 1-1-04; 93-725, eff. 1-1-05; 93-794,
15 eff. 7-22-04; 93-829, eff. 7-28-04; 94-143, eff. 1-1-06;
16 94-270, eff. 1-1-06; 94-331, eff. 1-1-06; 94-730, eff.
17 4-17-06.)

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