

HB3020



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3020

by Rep. John D'Amico

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-215

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

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning the use of oscillating, rotating, or flashing lights on motor vehicles.

LRB098 08387 MLW 38492 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 ~~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 Office of the Illinois State Fire
17 Marshal, vehicles of the Illinois Department of Public
18 Health, and vehicles of the Department of Nuclear Safety;

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

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

24 9. Vehicles that are equipped and used exclusively as
25 organ transplant vehicles when used in combination with
26 blue oscillating, rotating, or flashing lights;

1 furthermore, these lights shall be lighted only when the
2 transportation is declared an emergency by a member of the
3 transplant team or a representative of the organ
4 procurement organization; and

5 10. Vehicles of the Illinois Department of Natural
6 Resources that are used for mine rescue and explosives
7 emergency response.

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

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

24 2. Motor vehicles or equipment of the State of
25 Illinois, local authorities and contractors; furthermore,
26 such lights shall not be lighted except while such vehicles

1 are engaged in maintenance or construction operations
2 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;

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

14 5. Oversized vehicle or load; however, such lights
15 shall only be lighted when moving under permit issued by
16 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;

21 (6.1) The front and rear of motorized equipment or
22 vehicles that (i) are not owned by the State of Illinois or
23 any political subdivision of the State, (ii) are designed
24 and used for removal of snow and ice from highways and
25 parking lots, and (iii) are equipped with a snow plow that
26 is 12 feet in width; these lights may not be lighted except

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

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

6 8. Such other vehicles as may be authorized by local
7 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;

22 12. All trucks equipped with self-compactors or
23 roll-off hoists and roll-on containers for garbage or
24 refuse hauling. Such lights shall not be lighted except
25 when such vehicles are actually being used for such
26 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 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

1 or authorized by local authorities, in writing, and
2 carrying that designation or authorization in the
3 vehicle.

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

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

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

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

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

23 (D) the name of a person within the fire
24 department, fire protection district, rescue squad,
25 ambulance unit, or emergency management services
26 agency to contact to verify the information provided.

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

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

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

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

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

20 7. Vehicles of the Illinois Emergency Management
21 Agency, vehicles of the Office of the Illinois State Fire
22 Marshal, vehicles of the Illinois Department of Public
23 Health, and vehicles of the Department of Nuclear Safety,
24 when used in combination with red oscillating, rotating, or
25 flashing lights.

26 8. Vehicles operated by a local or county emergency

1 management services agency as defined in the Illinois
2 Emergency Management Agency Act, when used in combination
3 with red oscillating, rotating, or flashing lights.

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

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

17 (c-2) In addition to the blue oscillating, rotating, or
18 flashing lights permitted under subsection (c), and
19 notwithstanding subsection (a), a vehicle operated by a paid or
20 unpaid member of a local or county emergency management
21 services agency as defined in the Illinois Emergency Management
22 Agency Act, may be equipped with white oscillating, rotating,
23 or flashing lights to be used in combination with blue
24 oscillating, rotating, or flashing lights, if authorization by
25 local authorities is in writing and carried in the vehicle.

26 (d) The use of a combination of amber and white

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

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

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

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

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

26 (Source: P.A. 96-214, eff. 8-10-09; 96-1190, eff. 7-22-10;

1 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff.
2 7-13-12.)