



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3495

Introduced 1/19/2022, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-105	from Ch. 95 1/2, par. 1-105
625 ILCS 5/1-120.7	
625 ILCS 5/12-215	from Ch. 95 1/2, par. 12-215
625 ILCS 5/12-601.1	

Amends the Illinois Vehicle Code. Includes in the definition of "authorized emergency vehicle" a vehicle designated or authorized by a fire department or fire protection district. Includes in the definition of "fire department vehicle" a vehicle that is designated or authorized by a fire department or fire protection district. Permits the use of red or white oscillating, rotating or flashing lights on fire department or fire protection district vehicles. Permits the use of blue oscillating, rotating or flashing lights on rescue squad vehicles not owned by a fire protection district and on vehicles operated by certain persons designated or authorized by a fire department or fire protection district. Permits the installation of a traffic control signal preemption device on a vehicle belonging to a fire protection district.

LRB102 23834 RAM 33026 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
5 changing Sections 1-105, 1-120.7, 12-215, and 12-601.1 as
6 follows:

7 (625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)

8 Sec. 1-105. Authorized emergency vehicle. Emergency
9 vehicles of municipal departments or public service
10 corporations as are designated or authorized by proper local
11 authorities, fire departments, or fire protection districts;
12 police vehicles; vehicles of the fire department or fire
13 protection district; vehicles of a HazMat or technical rescue
14 team authorized by a county board under Section 5-1127 of the
15 Counties Code; ambulances; vehicles of the Illinois Department
16 of Corrections; vehicles of the Illinois Department of
17 Juvenile Justice; vehicles of the Illinois Emergency
18 Management Agency; vehicles of the Office of the Illinois
19 State Fire Marshal; mine rescue and explosives emergency
20 response vehicles of the Department of Natural Resources;
21 vehicles of the Illinois Department of Public Health; vehicles
22 of the Illinois State Toll Highway Authority with a gross
23 vehicle weight rating of 9,000 pounds or more and those

1 identified as Highway Emergency Lane Patrol; vehicles of the
2 Illinois Department of Transportation identified as Emergency
3 Traffic Patrol; and vehicles of a municipal or county
4 emergency services and disaster agency, as defined by the
5 Illinois Emergency Management Agency Act.

6 (Source: P.A. 100-62, eff. 8-11-17.)

7 (625 ILCS 5/1-120.7)

8 Sec. 1-120.7. Fire department vehicle. Any vehicle,
9 bicycle, or electric personal assistive mobility device that
10 is designated or authorized by proper local authorities, fire
11 departments, or fire protection districts for fire department
12 or fire protection district use.

13 (Source: P.A. 95-28, eff. 8-7-07.)

14 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

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

17 (a) The use of red or white oscillating, rotating or
18 flashing lights, whether lighted or unlighted, is prohibited
19 except on:

20 1. Law enforcement vehicles of State, Federal or local
21 authorities;

22 2. A vehicle operated by a police officer or county
23 coroner and designated or authorized by local authorities,
24 in writing, as a law enforcement vehicle; however, such

1 designation or authorization must be carried in the
2 vehicle;

3 2.1. A vehicle operated by a fire chief, deputy fire
4 chief, or assistant fire chief who has completed an
5 emergency vehicle operation training course approved by
6 the Office of the State Fire Marshal and designated or
7 authorized by local authorities, fire departments, or fire
8 protection districts, in writing, as a fire department,
9 fire protection district, or township fire department
10 vehicle; however, the designation or authorization must be
11 carried in the vehicle, and the lights may be visible or
12 activated only when responding to a bona fide emergency;

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

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

20 4.5. Vehicles which are occasionally used as rescue
21 vehicles that have been authorized for use as rescue
22 vehicles by a volunteer EMS provider, provided that the
23 operator of the vehicle has successfully completed an
24 emergency vehicle operation training course recognized by
25 the Department of Public Health; furthermore, the lights
26 shall not be lighted except when responding to an

1 emergency call for 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 Office of the Illinois State Fire
8 Marshal, vehicles of the Illinois Department of Public
9 Health, vehicles of the Illinois Department of
10 Corrections, and vehicles of the Illinois Department of
11 Juvenile Justice;

12 7. Vehicles operated by a local or county emergency
13 management services agency as defined in the Illinois
14 Emergency Management Agency Act;

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

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

24 10. Vehicles of the Illinois Department of Natural
25 Resources that are used for mine rescue and explosives
26 emergency response;

1 11. Vehicles of the Illinois Department of
2 Transportation identified as Emergency Traffic Patrol; the
3 lights shall not be lighted except when responding to an
4 emergency call or when parked or stationary while engaged
5 in motor vehicle assistance or at the scene of the
6 emergency; and

7 12. Vehicles of the Illinois State Toll Highway
8 Authority with a gross vehicle weight rating of 9,000
9 pounds or more and those identified as Highway Emergency
10 Lane Patrol; the lights shall not be lighted except when
11 responding to an emergency call or when parked or
12 stationary while engaged in motor vehicle assistance or at
13 the scene of the emergency.

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

1 lighted while the towing vehicle is engaged in towing on a
2 highway during all times when the use of headlights is
3 required under Section 12-201 of this Code; in addition,
4 these vehicles may use white oscillating, rotating, or
5 flashing lights in combination with amber oscillating,
6 rotating, or flashing lights as provided in this
7 paragraph;

8 2. Motor vehicles or equipment of the State of
9 Illinois, the Illinois State Toll Highway Authority, local
10 authorities and contractors; furthermore, such lights
11 shall not be lighted except while such vehicles are
12 engaged in maintenance or construction operations within
13 the limits of construction projects;

14 3. Vehicles or equipment used by engineering or survey
15 crews; furthermore, such lights shall not be lighted
16 except while such vehicles are actually engaged in work on
17 a highway;

18 4. Vehicles of public utilities, municipalities, or
19 other construction, maintenance or automotive service
20 vehicles except that such lights shall be lighted only as
21 a means for indicating the presence of a vehicular traffic
22 hazard requiring unusual care in approaching, overtaking
23 or passing while such vehicles are engaged in maintenance,
24 service or construction on a highway;

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

1 the Department under Section 15-301 of this Code;

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

6 6.1. The front and rear of motorized equipment or
7 vehicles that (i) are not owned by the State of Illinois or
8 any political subdivision of the State, (ii) are designed
9 and used for removal of snow and ice from highways and
10 parking lots, and (iii) are equipped with a snow plow that
11 is 12 feet in width; these lights may not be lighted except
12 when the motorized equipment or vehicle is actually being
13 used for those purposes on behalf of a unit of government;

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

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

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

22 9.5. Propane delivery trucks;

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

1 10.5. Vehicles of the Office of the Illinois State
2 Fire Marshal, provided that such lights shall not be
3 lighted except for when such vehicles are engaged in work
4 for the Office of the Illinois State Fire Marshal;

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

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

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

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

20 15. Vehicles of union representatives, except that the
21 lights shall be lighted only while the vehicle is within
22 the limits of a construction project.

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

25 1. Rescue squad vehicles not owned by a fire
26 department or fire protection district and vehicles owned

1 or operated by a:

2 voluntary firefighter;

3 paid firefighter;

4 part-paid firefighter;

5 call firefighter;

6 member of the board of trustees of a fire
7 protection district;

8 paid or unpaid member of a rescue squad;

9 paid or unpaid member of a voluntary ambulance
10 unit; or

11 paid or unpaid members of a local or county
12 emergency management services agency as defined in the
13 Illinois Emergency Management Agency Act, designated
14 or authorized by local authorities, fire departments
15 or fire protection districts, in writing, and carrying
16 that designation or authorization in the vehicle.

17 However, such lights are not to be lighted except when
18 responding to a bona fide emergency or when parked or
19 stationary at the scene of a fire, rescue call, ambulance
20 call, or motor vehicle accident.

21 Any person using these lights in accordance with this
22 subdivision (c)1 must carry on his or her person an
23 identification card or letter identifying the bona fide
24 member of a fire department, fire protection district,
25 rescue squad, ambulance unit, or emergency management
26 services agency that owns or operates that vehicle. The

1 card or letter must include:

2 (A) the name of the fire department, fire
3 protection district, rescue squad, ambulance unit, or
4 emergency management services agency;

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

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

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

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

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

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

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

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

8 7. Vehicles of the Illinois Emergency Management
9 Agency, vehicles of the Office of the Illinois State Fire
10 Marshal, vehicles of the Illinois Department of Public
11 Health, vehicles of the Illinois Department of
12 Corrections, and vehicles of the Illinois Department of
13 Juvenile Justice, when used in combination with red
14 oscillating, rotating, or 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 of the Illinois Department of Natural
20 Resources that are used for mine rescue and explosives
21 emergency response, when used in combination with red
22 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,

1 or a member of a voluntary ambulance unit may be equipped with
2 flashing white headlights and blue grill lights, which may be
3 used only in responding to an emergency call or when parked or
4 stationary at the scene of a fire, rescue call, ambulance
5 call, or motor vehicle accident.

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

16 (d) The use of a combination of amber and white
17 oscillating, rotating or flashing lights, whether lighted or
18 unlighted, is prohibited except on second division vehicles
19 designed and used for towing or hoisting vehicles or motor
20 vehicles or equipment of the State of Illinois, local
21 authorities, contractors, and union representatives;
22 furthermore, such lights shall not be lighted on second
23 division vehicles designed and used for towing or hoisting
24 vehicles or vehicles of the State of Illinois, local
25 authorities, and contractors except while such vehicles are
26 engaged in a tow operation, highway maintenance, or

1 construction operations within the limits of highway
2 construction projects, and shall not be lighted on the
3 vehicles of union representatives except when those vehicles
4 are within the limits of a construction project.

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

8 (f) Nothing in this Section shall prohibit a manufacturer
9 of oscillating, rotating or flashing lights or his
10 representative or authorized vendor from temporarily mounting
11 such lights on a vehicle for demonstration purposes only. If
12 the lights are not covered while the vehicle is operated upon a
13 highway, the vehicle shall display signage indicating that the
14 vehicle is out of service or not an emergency vehicle. The
15 signage shall be displayed on all sides of the vehicle in
16 letters at least 2 inches tall and one-half inch wide. A
17 vehicle authorized to have oscillating, rotating, or flashing
18 lights mounted for demonstration purposes may not activate the
19 lights while the vehicle is operated upon a highway.

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

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

1 (Source: P.A. 100-62, eff. 8-11-17; 101-56, eff. 1-1-20.)

2 (625 ILCS 5/12-601.1)

3 Sec. 12-601.1. Traffic control signal preemption devices.

4 (a) As used in this Section, "traffic control signal
5 preemption device" means any device, either mechanical or
6 electrical, that emits a pulse of light or other signal that,
7 when received by a detector attached to a traffic control
8 signal, changes that traffic control signal to a green light
9 or, if the traffic control signal is already green, extends
10 the duration of the green light.

11 (b) Except as provided in subsection (d), a traffic
12 control signal preemption device may not be installed on a
13 motor vehicle, may not be transported in the passenger
14 compartment of a motor vehicle, and may not be operated by the
15 driver or passenger of a motor vehicle.

16 Violation of this subsection (b) is a Class A misdemeanor,
17 punishable by a fine of \$1,000 in addition to any other penalty
18 that may be imposed.

19 (c) A retailer or manufacturer may not sell a traffic
20 control signal preemption device to any person or entity for
21 any intended use other than operation as permitted under
22 subsection (d).

23 Violation of this subsection (c) is a Class A misdemeanor,
24 punishable by a fine of \$5,000 for each sale of each device, in
25 addition to any other penalty that may be imposed.

1 (d) Installation of a traffic control signal preemption
2 device is permitted on the following vehicles, and operation
3 of the device is permitted as follows:

4 (1) Police department vehicles, when responding to a
5 bona fide emergency, when used in combination with red or
6 blue oscillating, rotating, or flashing lights.

7 (2) Law enforcement vehicles of State or local
8 authorities, when responding to a bona fide emergency,
9 when used in combination with red oscillating, rotating,
10 or flashing lights.

11 (3) Vehicles of local fire departments, fire
12 protection districts, and State or federal firefighting
13 vehicles, when responding to a bona fide emergency, when
14 used in combination with red oscillating, rotating, or
15 flashing lights.

16 (4) Vehicles that are designed and used exclusively as
17 ambulances or rescue vehicles, when responding to a bona
18 fide emergency, when used in combination with red
19 oscillating, rotating, or flashing lights.

20 (5) Vehicles that are equipped and used exclusively as
21 organ transport vehicles, when the transportation is
22 declared an emergency by a member of the transplant team
23 or a representative of the organ procurement organization,
24 when used in combination with red oscillating, rotating,
25 or flashing lights.

26 (6) Vehicles of the Illinois Emergency Management

1 Agency and vehicles of the Department of Nuclear Safety,
2 when responding to a bona fide emergency, when used in
3 combination with red oscillating, rotating, or flashing
4 lights.

5 (7) Commuter buses owned by any political subdivision
6 of this State, operated either by the political
7 subdivision or its lessee or agent, and offering
8 short-haul for-hire regularly scheduled passenger
9 transportation service, over regular routes with fixed
10 schedules, within metropolitan and suburban areas, when
11 used to extend the duration of an already green light to
12 meet schedules.

13 (8) Vehicles used for snow removal owned by any
14 political subdivision of this State, operated either by
15 the political subdivision or its lessee or agent, when
16 used during a snow emergency in combination with yellow or
17 amber oscillating, rotating, or flashing lights, when used
18 to extend the duration of an already green light.

19 (e) This Section does not prohibit use by motorcycles of
20 electronic or magnetic safety devices designed to allow
21 traffic control signal systems to recognize or detect
22 motorcycles.

23 (Source: P.A. 93-80, eff. 7-2-03.)