



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/6/2004, by George P. Shadid

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-215

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

Amends the Illinois Vehicle Code. Provides that any person using blue oscillating, rotating, or flashing lights while operating a rescue vehicle not owned by a fire department or a vehicle owned or fully operated by a specified type of firefighter, a trustee of a fire protection district, or a member of another specified emergency response agency must carry an identification card or letter identifying the person as a member of a bona fide fire department, fire protection district, or other specified emergency response unit. Specifies additional required information.

LRB093 15992 DRH 41616 b

FISCAL NOTE ACT
MAY APPLY

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

31 7. Vehicles operated by a local or county emergency
32 management services agency as defined in the Illinois

1 Emergency Management Agency Act; and

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

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
27 while such vehicles are actually engaged in work on a
28 highway;

29 4. Vehicles of public utilities, municipalities, or
30 other construction, maintenance or automotive service
31 vehicles except that such lights shall be lighted only as a
32 means for indicating the presence of a vehicular traffic
33 hazard requiring unusual care in approaching, overtaking
34 or passing while such vehicles are engaged in maintenance,
35 service or construction on a highway;

36 5. Oversized vehicle or load; however, such lights

1 shall only be lighted when moving under permit issued by
2 the Department under Section 15-301 of this Code;

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

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

10 8. Such other vehicles as may be authorized by local
11 authorities;

12 9. Law enforcement vehicles of State or local
13 authorities when used in combination with red oscillating,
14 rotating or flashing lights;

15 9.5. Propane delivery trucks;

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

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;

27 13. Vehicles used by a security company, alarm
28 responder, or control agency;

29 14. Security vehicles of the Department of Human
30 Services; however, the lights shall not be lighted except
31 when being used for security related purposes under the
32 direction of the superintendent of the facility where the
33 vehicle is located; and

34 15. Vehicles of union representatives, except that the
35 lights shall be lighted only while the vehicle is within
36 the limits of a construction project.

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

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

5 voluntary firefighter;

6 paid firefighter;

7 part-paid firefighter;

8 call firefighter;

9 member of the board of trustees of a fire
10 protection district;

11 paid or unpaid member of a rescue squad;

12 paid or unpaid member of a voluntary ambulance
13 unit; or

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

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

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

29 (A) the name of the fire department, fire
30 protection district, rescue squad, ambulance unit, or
31 emergency management services agency;

32 (B) the member's position within the fire
33 department, fire protection district, rescue squad,
34 ambulance unit, or emergency management services
35 agency;

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

1 (D) the name of a person within the fire
2 department, fire protection district, rescue squad,
3 ambulance unit, or emergency management services
4 agency to contact to verify the information provided.

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

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

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

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

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

24 7. Vehicles of the Illinois Emergency Management
25 Agency and vehicles of the Department of Nuclear Safety,
26 when used in combination with red oscillating, rotating, or
27 flashing lights.

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

32 (c-1) In addition to the blue oscillating, rotating, or
33 flashing lights permitted under subsection (c), and
34 notwithstanding subsection (a), a vehicle operated by a
35 voluntary firefighter, a voluntary member of a rescue squad, or
36 a member of a voluntary ambulance unit may be equipped with

1 flashing white headlights and blue grill lights, which may be
2 used only in responding to an emergency call.

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

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

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

27 (f) Nothing in this Section shall prohibit a manufacturer
28 of oscillating, rotating or flashing lights or his
29 representative from temporarily mounting such lights on a
30 vehicle for demonstration purposes only.

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

35 (h) Except as provided in subsection (g) above, any person
36 violating the provisions of subsections (a) or (c) of this

1 Section shall be guilty of a Class A misdemeanor.

2 (Source: P.A. 92-138, eff. 7-24-01; 92-407, eff. 8-17-01;

3 92-651, eff. 7-11-02; 92-782, eff. 8-6-02; 92-820, eff.

4 8-21-02; 92-872, eff. 6-1-03; 93-181, eff. 1-1-04.)