

# HB1550



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB1550

Introduced 2/10/2005, by Rep. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-215

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

Amends the Illinois Vehicle Code. Provides that blue oscillating, rotating, or flashing lights are prohibited if lighted (rather than whether lighted or unlighted), except on specified vehicles.

LRB094 07714 DRH 37890 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 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, vehicles of the Illinois Department of Public  
31 Health, and vehicles of the Department of Nuclear Safety;

32 7. Vehicles operated by a local or county emergency

1 management services agency as defined in the Illinois  
2 Emergency Management Agency Act; ~~and~~

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

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

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

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

28 2. Motor vehicles or equipment of the State of  
29 Illinois, local authorities and contractors; furthermore,  
30 such lights shall not be lighted except while such vehicles  
31 are engaged in maintenance or construction operations  
32 within the limits of construction projects;

33 3. Vehicles or equipment used by engineering or survey  
34 crews; furthermore, such lights shall not be lighted except  
35 while such vehicles are actually engaged in work on a  
36 highway;

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

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

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

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

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

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

23           9.5. Propane delivery trucks;

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

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

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

35           13. Vehicles used by a security company, alarm  
36 responder, or control agency;

1           14. Security vehicles of the Department of Human  
2           Services; however, the lights shall not be lighted except  
3           when being used for security related purposes under the  
4           direction of the superintendent of the facility where the  
5           vehicle is located; and

6           15. Vehicles of union representatives, except that the  
7           lights shall be lighted only while the vehicle is within  
8           the limits of a construction project.

9           (c) The use of lighted blue oscillating, rotating or  
10          flashing lights, ~~whether lighted or unlighted,~~ is prohibited  
11          except on:

12           1. Rescue squad vehicles not owned by a fire department  
13          and vehicles ~~owned or fully~~ operated by a:

14                   voluntary firefighter;

15                   paid firefighter;

16                   part-paid firefighter;

17                   call firefighter;

18                   member of the board of trustees of a fire  
19          protection district;

20                   paid or unpaid member of a rescue squad;

21                   paid or unpaid member of a voluntary ambulance  
22          unit; or

23                   paid or unpaid members of a local or county  
24          emergency management services agency as defined in the  
25          Illinois Emergency Management Agency Act, designated  
26          or authorized by local authorities, in writing, and  
27          carrying that designation or authorization in the  
28          vehicle.

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

31          Any person using these lights in accordance with this  
32          subdivision (c)1 must carry on his or her person an  
33          identification card or letter identifying him or her as a  
34          member of a bona fide fire department, fire protection  
35          district, rescue squad, ambulance unit, or emergency  
36          management services agency. The card or letter must

1 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 with  
24 red oscillating, rotating or flashing lights; furthermore,  
25 such lights shall not be lighted except when responding to  
26 an emergency call.

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

33 7. Vehicles of the Illinois Emergency Management  
34 Agency, vehicles of the Illinois Department of Public  
35 Health, and vehicles of the Department of Nuclear Safety,  
36 when used in combination with red oscillating, rotating, or

1 flashing lights.

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

6 (c-1) 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  
9 voluntary firefighter, a voluntary member of a rescue squad, or  
10 a member of a voluntary ambulance unit may be equipped with  
11 flashing white headlights and blue grill lights, which may be  
12 used only in responding to an emergency call.

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

22 (d) The use of a combination of amber and white  
23 oscillating, rotating or flashing lights, whether lighted or  
24 unlighted, is prohibited except motor vehicles or equipment of  
25 the State of Illinois, local authorities, contractors, and  
26 union representatives may be so equipped; furthermore, such  
27 lights shall not be lighted on vehicles of the State of  
28 Illinois, local authorities, and contractors except while such  
29 vehicles are engaged in highway maintenance or construction  
30 operations within the limits of highway construction projects,  
31 and shall not be lighted on the vehicles of union  
32 representatives except when those vehicles are within the  
33 limits of a construction project.

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

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

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

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

12           (Source: P.A. 92-138, eff. 7-24-01; 92-407, eff. 8-17-01;  
13 92-651, eff. 7-11-02; 92-782, eff. 8-6-02; 92-820, eff.  
14 8-21-02; 92-872, eff. 6-1-03; 93-181, eff. 1-1-04; 93-725, eff.  
15 1-1-05; 93-794, eff. 7-22-04; 93-829, eff. 7-28-04; revised  
16 10-22-04.)