



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB0054

Introduced 1/26/2005, by Sen. William E. Peterson

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-105	from Ch. 95 1/2, par. 1-105
625 ILCS 5/12-215	from Ch. 95 1/2, par. 12-215
625 ILCS 5/15-101	from Ch. 95 1/2, par. 15-101

Amends the Illinois Vehicle Code. Provides that privately owned firefighting vehicles are authorized emergency vehicles. Provides that firefighting vehicles that are not owned by a local fire department, the State, or the federal government may be equipped with red or white oscillating, rotating, or flashing lights. Provides that motorized equipment or vehicles not owned by the State of Illinois or any of its political subdivisions that are designed and used for removal of snow and ice from highways and parking lots and are equipped with a snow plow 12 feet in width may be equipped with amber lights of that type. Provides that the provisions of the Code limiting the size, weight, and load of vehicles do not apply to snow and ice removal equipment that is no more than 12 feet in width, if the equipment displays flags and is equipped with lighting that meet specified requirements.

LRB094 05453 DRH 35498 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 changing
5 Sections 1-105, 12-215, and 15-101 as follows:

6 (625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)

7 Sec. 1-105. Authorized emergency vehicle. Emergency
8 vehicles of municipal departments or public service
9 corporations as are designated or authorized by proper local
10 authorities; police vehicles; vehicles of the fire department;
11 privately owned firefighting vehicles; ambulances; vehicles of
12 the Illinois Emergency Management Agency; vehicles of the
13 Illinois Department of Public Health; and vehicles of the
14 Department of Nuclear Safety.

15 (Source: P.A. 92-138, eff. 7-24-01; 93-829, eff. 7-28-04.)

16 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

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

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

22 1. Law enforcement vehicles of State, Federal or local
23 authorities;

24 2. A vehicle operated by a police officer or county
25 coroner and designated or authorized by local authorities,
26 in writing, as a law enforcement vehicle; however, such
27 designation or authorization must be carried in the
28 vehicle;

29 3. Vehicles of local fire departments and State or
30 federal firefighting vehicles;

31 (3.1) Firefighting vehicles that are not owned by a

1 local fire department, the State, or the federal
2 government; these lights may not be lighted except when
3 responding to a firefighting emergency.

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

8 5. Tow trucks licensed in a state that requires such
9 lights; furthermore, such lights shall not be lighted on
10 any such tow truck while the tow truck is operating in the
11 State of Illinois;

12 6. Vehicles of the Illinois Emergency Management
13 Agency, vehicles of the Illinois Department of Public
14 Health, and vehicles of the Department of Nuclear Safety;

15 7. Vehicles operated by a local or county emergency
16 management services agency as defined in the Illinois
17 Emergency Management Agency Act; ~~and~~

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

20 9. ~~8.~~ Vehicles that are equipped and used exclusively
21 as organ transplant vehicles when used in combination with
22 blue oscillating, rotating, or flashing lights;
23 furthermore, these lights shall be lighted only when the
24 transportation is declared an emergency by a member of the
25 transplant team or a representative of the organ
26 procurement organization.

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

29 1. Second division vehicles designed and used for
30 towing or hoisting vehicles; furthermore, such lights
31 shall not be lighted except as required in this paragraph
32 1; such lights shall be lighted when such vehicles are
33 actually being used at the scene of an accident or
34 disablement; if the towing vehicle is equipped with a flat
35 bed that supports all wheels of the vehicle being
36 transported, the lights shall not be lighted while the

1 vehicle is engaged in towing on a highway; if the towing
2 vehicle is not equipped with a flat bed that supports all
3 wheels of a vehicle being transported, the lights shall be
4 lighted while the towing vehicle is engaged in towing on a
5 highway during all times when the use of headlights is
6 required under Section 12-201 of this Code;

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

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

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

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

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

30 (6.1) The front and rear of motorized equipment or
31 vehicles that (i) are not owned by the State of Illinois or
32 any political subdivision of the State, (ii) are designed
33 and used for removal of snow and ice from highways and
34 parking lots, and (iii) are equipped with a snow plow that
35 is 12 feet in width; these lights may not be lighted except
36 when the motorized equipment or vehicle is actually being

1 used for those purposes;

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

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

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

10 9.5. Propane delivery trucks;

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

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

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

22 13. Vehicles used by a security company, alarm
23 responder, or control agency;

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

29 15. Vehicles of union representatives, except that the
30 lights shall be lighted only while the vehicle is within
31 the limits of a construction project.

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

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

36 voluntary firefighter;

1 paid firefighter;
2 part-paid firefighter;
3 call firefighter;
4 member of the board of trustees of a fire
5 protection district;
6 paid or unpaid member of a rescue squad;
7 paid or unpaid member of a voluntary ambulance
8 unit; or
9 paid or unpaid members of a local or county
10 emergency management services agency as defined in the
11 Illinois Emergency Management Agency Act, designated
12 or authorized by local authorities, in writing, and
13 carrying that designation or authorization in the
14 vehicle.

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

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

24 (A) the name of the fire department, fire
25 protection district, rescue squad, ambulance unit, or
26 emergency management services agency;

27 (B) the member's position within the fire
28 department, fire protection district, rescue squad,
29 ambulance unit, or emergency management services
30 agency;

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

32 (D) the name of a person within the fire
33 department, fire protection district, rescue squad,
34 ambulance unit, or emergency management services
35 agency to contact to verify the information provided.

36 2. Police department vehicles in cities having a

1 population of 500,000 or more inhabitants.

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

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

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

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

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

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

28 (c-1) In addition to the blue oscillating, rotating, or
29 flashing lights permitted under subsection (c), and
30 notwithstanding subsection (a), a vehicle operated by a
31 voluntary firefighter, a voluntary member of a rescue squad, or
32 a member of a voluntary ambulance unit may be equipped with
33 flashing white headlights and blue grill lights, which may be
34 used only in responding to an emergency call.

35 (c-2) In addition to the blue oscillating, rotating, or
36 flashing lights permitted under subsection (c), and

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

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

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

23 (f) Nothing in this Section shall prohibit a manufacturer
24 of oscillating, rotating or flashing lights or his
25 representative from temporarily mounting such lights on a
26 vehicle for demonstration purposes only.

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

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

34 (Source: P.A. 92-138, eff. 7-24-01; 92-407, eff. 8-17-01;
35 92-651, eff. 7-11-02; 92-782, eff. 8-6-02; 92-820, eff.
36 8-21-02; 92-872, eff. 6-1-03; 93-181, eff. 1-1-04; 93-725, eff.

1 1-1-05; 93-794, eff. 7-22-04; 93-829, eff. 7-28-04; revised
2 10-22-04.)

3 (625 ILCS 5/15-101) (from Ch. 95 1/2, par. 15-101)

4 Sec. 15-101. Scope and effect of Chapter 15.

5 (a) It is unlawful for any person to drive or move on, upon
6 or across or for the owner to cause or knowingly permit to be
7 driven or moved on, upon or across any highway any vehicle or
8 vehicles of a size and weight exceeding the limitations stated
9 in this Chapter or otherwise in violation of this Chapter, and
10 the maximum size and weight of vehicles herein specified shall
11 be lawful throughout this State, and local authorities shall
12 have no power or authority to alter such limitations except as
13 express authority may be granted in this Chapter.

14 (b) The provisions of this Chapter governing size, weight
15 and load do not apply to fire apparatus or equipment for snow
16 and ice removal operations owned or operated by any
17 governmental body, or to implements of husbandry, as defined in
18 Chapter 1 of this Code, temporarily operated or towed in a
19 combination upon a highway provided such combination does not
20 consist of more than 3 vehicles or, in the case of hauling
21 fresh, perishable fruits or vegetables from farm to the point
22 of first processing, not more than 3 wagons being towed by an
23 implement of husbandry, or to a vehicle operated under the
24 terms of a special permit issued hereunder.

25 (c) The provisions of this Chapter governing size, weight,
26 and load do not apply to any snow and ice removal equipment
27 that is no more than 12 feet in width, if the equipment
28 displays flags at least 18 inches square mounted on the
29 driver's side of the snow plow.

30 These vehicles must be equipped with an illuminated
31 rotating, oscillating, or flashing amber light or lights, or a
32 flashing amber strobe light or lights, mounted on the top of
33 the cab and of sufficient intensity to be visible at 500 feet
34 in normal sunlight. If the load on the transport vehicle blocks
35 the visibility of the amber lighting from the rear of the

1 vehicle, the vehicle must also be equipped with an illuminated
2 rotating, oscillating, or flashing amber light or lights, or a
3 flashing amber strobe light or lights, mounted on the rear of
4 the load and of sufficient intensity to be visible at 500 feet
5 in normal sunlight.

6 (Source: P.A. 92-417, eff. 1-1-02.)