



Sen. Gary Forby

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LRB095 08186 LCT 50124 a

1 AMENDMENT TO HOUSE BILL 896

2 AMENDMENT NO. _____. Amend House Bill 896 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 1-105 and 12-215 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 vehicles of a HazMat or technical rescue team authorized by a
12 county board under Section 5-1127 of the Counties Code;
13 ambulances; vehicles of the Illinois Emergency Management
14 Agency; mine rescue emergency response vehicles of the
15 Department of Natural Resources; and vehicles of the Illinois
16 Department of Public Health.

1 (Source: P.A. 93-829, eff. 7-28-04; 94-334, eff. 1-1-06.)

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

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

5 (a) The use of red or white oscillating, rotating or
6 flashing lights, whether lighted or unlighted, is prohibited
7 except on:

8 1. Law enforcement vehicles of State, Federal or local
9 authorities;

10 2. A vehicle operated by a police officer or county
11 coroner and designated or authorized by local authorities,
12 in writing, as a law enforcement vehicle; however, such
13 designation or authorization must be carried in the
14 vehicle;

15 2.1. A vehicle operated by a fire chief who has
16 completed an emergency vehicle operation training course
17 approved by the Office of the State Fire Marshal and
18 designated or authorized by local authorities, in writing,
19 as a fire department, fire protection district, or township
20 fire department vehicle; however, the designation or
21 authorization must be carried in the vehicle, and the
22 lights may be visible or activated only when responding to
23 a bona fide emergency;

24 3. Vehicles of local fire departments and State or
25 federal firefighting vehicles;

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

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

9 6. Vehicles of the Illinois Emergency Management
10 Agency, vehicles of the Illinois Department of Public
11 Health, and vehicles of the Department of Nuclear Safety;

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; and

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

26 1. Second division vehicles designed and used for

1 towing or hoisting vehicles; furthermore, such lights
2 shall not be lighted except as required in this paragraph
3 1; such lights shall be lighted when such vehicles are
4 actually being used at the scene of an accident or
5 disablement; if the towing vehicle is equipped with a flat
6 bed that supports all wheels of the vehicle being
7 transported, the lights shall not be lighted while the
8 vehicle is engaged in towing on a highway; if the towing
9 vehicle is not equipped with a flat bed that supports all
10 wheels of a vehicle being transported, the lights shall be
11 lighted while the towing vehicle is engaged in towing on a
12 highway during all times when the use of headlights is
13 required under Section 12-201 of this Code;

14 2. Motor vehicles or equipment of the State of
15 Illinois, local authorities and contractors; furthermore,
16 such lights shall not be lighted except while such vehicles
17 are engaged in maintenance or construction operations
18 within the limits of construction projects;

19 3. Vehicles or equipment used by engineering or survey
20 crews; furthermore, such lights shall not be lighted except
21 while such vehicles are actually engaged in work on a
22 highway;

23 4. Vehicles of public utilities, municipalities, or
24 other construction, maintenance or automotive service
25 vehicles except that such lights shall be lighted only as a
26 means for indicating the presence of a vehicular traffic

1 hazard requiring unusual care in approaching, overtaking
2 or passing while such vehicles are engaged in maintenance,
3 service or construction on a highway;

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

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

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

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

22 8. Such other vehicles as may be authorized by local
23 authorities;

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

1 9.5. Propane delivery trucks;

2 10. Vehicles used for collecting or delivering mail for
3 the United States Postal Service provided that such lights
4 shall not be lighted except when such vehicles are actually
5 being used for such purposes;

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

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

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

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 department
26 and vehicles owned or operated by a:

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

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

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

25 (A) the name of the fire department, fire
26 protection district, rescue squad, ambulance unit, or

1 emergency management services agency;

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

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

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

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

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

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

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

24 6. Vehicles that are equipped and used exclusively as
25 organ transport vehicles when used in combination with red
26 oscillating, rotating, or flashing lights; furthermore,

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

4 7. Vehicles of the Illinois Emergency Management
5 Agency, vehicles of the Illinois Department of Public
6 Health, and vehicles of the Department of Nuclear Safety,
7 when used in combination with red oscillating, rotating, or
8 flashing lights.

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

13 9. Vehicles of the Illinois Department of Natural
14 Resources that are used for mine rescue emergency response,
15 when used in combination with red oscillating, rotating, or
16 flashing lights.

17 (c-1) 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
20 voluntary firefighter, a voluntary member of a rescue squad, or
21 a member of a voluntary ambulance unit may be equipped with
22 flashing white headlights and blue grill lights, which may be
23 used only in responding to an emergency call.

24 (c-2) In addition to the blue oscillating, rotating, or
25 flashing lights permitted under subsection (c), and
26 notwithstanding subsection (a), a vehicle operated by a paid or

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

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

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

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

26 (g) Any person violating the provisions of subsections (a),

1 (b), (c) or (d) of this Section who without lawful authority
2 stops or detains or attempts to stop or detain another person
3 shall be guilty of a Class 2 felony.

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

7 (Source: P.A. 93-181, eff. 1-1-04; 93-725, eff. 1-1-05; 93-794,
8 eff. 7-22-04; 93-829, eff. 7-28-04; 94-143, eff. 1-1-06;
9 94-270, eff. 1-1-06; 94-331, eff. 1-1-06; 94-730, eff.
10 4-17-06.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."