

SB3041



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3041

Introduced 2/8/2010, by Sen. Gary Forby

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-105
625 ILCS 5/12-215

from Ch. 95 1/2, par. 1-105
from Ch. 95 1/2, par. 12-215

Amends provisions of the Illinois Vehicle Code to change the name of an authorized emergency vehicle used by the Department of Natural Resources, which is permitted to use oscillating, rotating, or flashing lights, from a "mine rescue emergency response vehicle" to a "mine rescue and explosives emergency response vehicle". Effective immediately.

LRB096 15877 AJT 31119 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 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 and explosives emergency response vehicles
15 of the Department of Natural Resources; and vehicles of the
16 Illinois Department of Public Health.

17 (Source: P.A. 96-214, eff. 8-10-09.)

18 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

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

21 (a) The use of red or white oscillating, rotating or
22 flashing lights, whether lighted or unlighted, is prohibited

1 except on:

2 1. Law enforcement vehicles of State, Federal or local
3 authorities;

4 2. A vehicle operated by a police officer or county
5 coroner and designated or authorized by local authorities,
6 in writing, as a law enforcement vehicle; however, such
7 designation or authorization must be carried in the
8 vehicle;

9 2.1. A vehicle operated by a fire chief who has
10 completed an emergency vehicle operation training course
11 approved by the Office of the State Fire Marshal and
12 designated or authorized by local authorities, in writing,
13 as a fire department, fire protection district, or township
14 fire department vehicle; however, the designation or
15 authorization must be carried in the vehicle, and the
16 lights may be visible or activated only when responding to
17 a bona fide emergency;

18 3. Vehicles of local fire departments and State or
19 federal firefighting vehicles;

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

24 5. Tow trucks licensed in a state that requires such
25 lights; furthermore, such lights shall not be lighted on
26 any such tow truck while the tow truck is operating in the

1 State of Illinois;

2 6. Vehicles of the Illinois Emergency Management
3 Agency, vehicles of the Illinois Department of Public
4 Health, and vehicles of the Department of Nuclear Safety;

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

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

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

17 10. Vehicles of the Illinois Department of Natural
18 Resources that are used for mine rescue and explosives
19 emergency response.

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

22 1. Second division vehicles designed and used for
23 towing or hoisting vehicles; furthermore, such lights
24 shall not be lighted except as required in this paragraph
25 1; such lights shall be lighted when such vehicles are
26 actually being used at the scene of an accident or

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

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

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

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

26 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 (6.1) The front and rear of motorized equipment or
8 vehicles that (i) are not owned by the State of Illinois or
9 any political subdivision of the State, (ii) are designed
10 and used for removal of snow and ice from highways and
11 parking lots, and (iii) are equipped with a snow plow that
12 is 12 feet in width; these lights may not be lighted except
13 when the motorized equipment or vehicle is actually being
14 used for those purposes on behalf of a unit of government;

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

1 being used for such purposes;

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

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

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

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

16 15. Vehicles of union representatives, except that the
17 lights shall be lighted only while the vehicle is within
18 the limits of a construction project.

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

21 1. Rescue squad vehicles not owned by a fire department
22 and vehicles owned or operated by a:

23 voluntary firefighter;

24 paid firefighter;

25 part-paid firefighter;

26 call firefighter;

1 member of the board of trustees of a fire
2 protection district;

3 paid or unpaid member of a rescue squad;

4 paid or unpaid member of a voluntary ambulance
5 unit; or

6 paid or unpaid members of a local or county
7 emergency management services agency as defined in the
8 Illinois Emergency Management Agency Act, designated
9 or authorized by local authorities, in writing, and
10 carrying that designation or authorization in the
11 vehicle.

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

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

21 (A) the name of the fire department, fire
22 protection district, rescue squad, ambulance unit, or
23 emergency management services agency;

24 (B) the member's position within the fire
25 department, fire protection district, rescue squad,
26 ambulance unit, or emergency management services

1 agency;

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

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

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

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

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

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

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

26 7. Vehicles of the Illinois Emergency Management

1 Agency, vehicles of the Illinois Department of Public
2 Health, and vehicles of the Department of Nuclear Safety,
3 when used in combination with red oscillating, rotating, or
4 flashing lights.

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

9 9. Vehicles of the Illinois Department of Natural
10 Resources that are used for mine rescue and explosives
11 emergency response, when used in combination with red
12 oscillating, rotating, or flashing lights.

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

20 (c-2) In addition to the blue oscillating, rotating, or
21 flashing lights permitted under subsection (c), and
22 notwithstanding subsection (a), a vehicle operated by a paid or
23 unpaid member of a local or county emergency management
24 services agency as defined in the Illinois Emergency Management
25 Agency Act, may be equipped with white oscillating, rotating,
26 or flashing lights to be used in combination with blue

1 oscillating, rotating, or flashing lights, if authorization by
2 local authorities is in writing and carried in the vehicle.

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

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

18 (f) Nothing in this Section shall prohibit a manufacturer
19 of oscillating, rotating or flashing lights or his
20 representative from temporarily mounting such lights on a
21 vehicle for demonstration purposes only.

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

26 (h) Except as provided in subsection (g) above, any person

1 violating the provisions of subsections (a) or (c) of this
2 Section shall be guilty of a Class A misdemeanor.

3 (Source: P.A. 96-214, eff. 8-10-09.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.