



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3892

by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-215.1

Amends the Illinois Vehicle Code. Provides that only a person authorized to possess or be in actual physical control of oscillating, rotating, or flashing lights or other indicia of an emergency vehicle may purchase oscillating, rotating, or flashing lights for an emergency vehicle. Requires the purchaser of oscillating, rotating, or flashing lights for an emergency vehicle to provide identification proving his or her status as a law enforcement officer, ambulance technician or driver, firefighter, any other person authorized to possess emergency vehicle lights, or a person authorized to purchase on behalf of any person or entity authorized to possess emergency vehicle lights. Makes a conforming change.

LRB099 09247 RJF 29451 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 Section 12-215.1 as follows:

6 (625 ILCS 5/12-215.1)

7 Sec. 12-215.1. Possession and purchase of oscillating,
8 rotating, or flashing lights in motor vehicles; police
9 equipment, markings, and other indicia of emergency vehicle
10 authority.

11 (a) A person, except those given exceptions in Section
12 12-215 or 12-609 of this Code, may not possess or be in actual
13 physical control of oscillating, rotating, or flashing lights
14 or other indicia of emergency vehicle authority within any
15 portion of a motor vehicle, including but not limited to
16 wig-wags, red and blue LEDs, sirens, mounted or affixed devices
17 or other equipment, markings or indicia of emergency vehicle
18 authority.

19 (b) A person found guilty of violating this Section is
20 guilty of a Class A misdemeanor.

21 (a-5) Only a person authorized to possess or be in actual
22 physical control of oscillating, rotating, or flashing lights
23 or other indicia of an emergency vehicle under Section 12-215

1 may purchase oscillating, rotating, or flashing lights for an
2 emergency vehicle. The purchaser of oscillating, rotating, or
3 flashing lights for an emergency vehicle must provide
4 identification, which may include a badge, as proof of his or
5 her status as a law enforcement officer, ambulance technician
6 or driver, firefighter, any other person authorized to possess
7 emergency vehicle lights under Section 12-215, or a person
8 authorized to purchase on behalf of any person or entity
9 authorized to possess emergency vehicle lights under Section
10 12-215.

11 (c) Oscillating, rotating, or flashing lights and any other
12 equipment, markings, or indicia of emergency vehicle authority
13 shall be seized by the law enforcement officer at the time of a
14 violation of this Section or of Section 12-215 or 12-609 of
15 this Code upon any legal search. The officer may seize the
16 vehicle containing the prohibited device or mechanism, and this
17 device or mechanism shall be removed and held for evidentiary
18 purposes. When the device or mechanism is no longer needed for
19 evidence, the defendant may petition the court for the return
20 of the device or mechanism. The defendant must prove to the
21 court by a preponderance of the evidence that the device or
22 mechanism will be used for a legitimate and lawful purpose.

23 (Source: P.A. 98-468, eff. 8-16-13.)