



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/04/04, by Thomas Holbrook

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-215

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

Amends the Illinois Vehicle Code. Provides that a fire chief may drive a vehicle using red or white oscillating, rotating, or flashing lights if the vehicle is designated or authorized as a fire department vehicle and the designation or authorization is carried in the vehicle.

LRB093 18855 DRH 44590 b

1 AN ACT concerning vehicles.

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 2.1. A vehicle operated by a fire chief and designated
20 or authorized by local authorities, in writing, as a fire
21 department vehicle; however, the designation or
22 authorization must be carried in the vehicle;

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

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

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

1 6. Vehicles of the Illinois Emergency Management
2 Agency, and vehicles of the Department of Nuclear Safety;

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

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

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

10 1. Second division vehicles designed and used for
11 towing or hoisting vehicles; furthermore, such lights
12 shall not be lighted except as required in this paragraph
13 1; such lights shall be lighted when such vehicles are
14 actually being used at the scene of an accident or
15 disablement; if the towing vehicle is equipped with a flat
16 bed that supports all wheels of the vehicle being
17 transported, the lights shall not be lighted while the
18 vehicle is engaged in towing on a highway; if the towing
19 vehicle is not equipped with a flat bed that supports all
20 wheels of a vehicle being transported, the lights shall be
21 lighted while the towing vehicle is engaged in towing on a
22 highway during all times when the use of headlights is
23 required under Section 12-201 of this Code;

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

29 3. Vehicles or equipment used by engineering or survey
30 crews; furthermore, such lights shall not be lighted except
31 while such vehicles are actually engaged in work on a
32 highway;

33 4. Vehicles of public utilities, municipalities, or
34 other construction, maintenance or automotive service
35 vehicles except that such lights shall be lighted only as a
36 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 7. Fleet safety vehicles registered in another state,
12 furthermore, such lights shall not be lighted except as
13 provided for in Section 12-212 of this Code;

14 8. Such other vehicles as may be authorized by local
15 authorities;

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

19 9.5. Propane delivery trucks;

20 10. Vehicles used for collecting or delivering mail for
21 the United States Postal Service provided that such lights
22 shall not be lighted except when such vehicles are actually
23 being used for such purposes;

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

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

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

33 14. Security vehicles of the Department of Human
34 Services; however, the lights shall not be lighted except
35 when being used for security related purposes under the
36 direction of the superintendent of the facility where the

1 vehicle is located; and

2 15. Vehicles of union representatives, except that the
3 lights shall be lighted only while the vehicle is within
4 the limits of a construction project.

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

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

9 voluntary firefighter;

10 paid firefighter;

11 part-paid firefighter;

12 call firefighter;

13 member of the board of trustees of a fire
14 protection district;

15 paid or unpaid member of a rescue squad;

16 paid or unpaid member of a voluntary ambulance
17 unit; or

18 paid or unpaid members of a local or county
19 emergency management services agency as defined in the
20 Illinois Emergency Management Agency Act, designated
21 or authorized by local authorities, in writing, and
22 carrying that designation or authorization in the
23 vehicle.

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

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

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

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

34 5. Vehicles which are designed and used exclusively as
35 ambulances or rescue vehicles when used in combination with
36 red oscillating, rotating or flashing lights; furthermore,

1 such lights shall not be lighted except when responding to
2 an emergency call.

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

9 7. Vehicles of the Illinois Emergency Management
10 Agency and vehicles of the Department of Nuclear Safety,
11 when used in combination with red oscillating, rotating, or
12 flashing lights.

13 8. Vehicles operated by a local or county emergency
14 management services agency as defined in the Illinois
15 Emergency Management Agency Act, when used in combination
16 with red oscillating, rotating, or 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
27 unpaid member of a local or county emergency management
28 services agency as defined in the Illinois Emergency Management
29 Agency Act, may be equipped with white oscillating, rotating,
30 or flashing lights to be used in combination with blue
31 oscillating, rotating, or flashing lights, if authorization by
32 local authorities is in writing and carried in the vehicle.

33 (d) The use of a combination of amber and white
34 oscillating, rotating or flashing lights, whether lighted or
35 unlighted, is prohibited except motor vehicles or equipment of
36 the State of Illinois, local authorities, contractors, and

1 union representatives may be so equipped; furthermore, such
2 lights shall not be lighted on vehicles of the State of
3 Illinois, local authorities, and contractors except while such
4 vehicles are engaged in highway maintenance or construction
5 operations within the limits of highway construction projects,
6 and shall not be lighted on the vehicles of union
7 representatives except when those vehicles are within the
8 limits of a construction project.

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

12 (f) Nothing in this Section shall prohibit a manufacturer
13 of oscillating, rotating or flashing lights or his
14 representative from temporarily mounting such lights on a
15 vehicle for demonstration purposes only.

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

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

23 (Source: P.A. 92-138, eff. 7-24-01; 92-407, eff. 8-17-01;
24 92-651, eff. 7-11-02; 92-782, eff. 8-6-02; 92-820, eff.
25 8-21-02; 92-872, eff. 6-1-03; 93-181, eff. 1-1-04.)