



Rep. John D'Amico

Filed: 3/21/2013

09800HB0774ham001

LRB098 03609 MLW 43574 a

1 AMENDMENT TO HOUSE BILL 774

2 AMENDMENT NO. _____. Amend House Bill 774 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; vehicles of the Office of the Illinois State Fire
15 Marshal; mine rescue and explosives emergency response
16 vehicles of the Department of Natural Resources; vehicles of

1 the Illinois Department of Public Health; vehicles of the
2 Illinois Department of Transportation identified as Emergency
3 Traffic Patrol; and vehicles of a municipal or county emergency
4 services and disaster agency, as defined by the Illinois
5 Emergency Management Agency Act.

6 (Source: P.A. 96-214, eff. 8-10-09; 96-986, eff. 1-1-11;
7 96-1190, eff. 7-22-10; 97-149, eff. 7-14-11; 97-333, eff.
8 7-12-11.)

9 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

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

12 (a) The use of red or white oscillating, rotating or
13 flashing lights, whether lighted or unlighted, is prohibited
14 except on:

15 1. Law enforcement vehicles of State, Federal or local
16 authorities;

17 2. A vehicle operated by a police officer or county
18 coroner and designated or authorized by local authorities,
19 in writing, as a law enforcement vehicle; however, such
20 designation or authorization must be carried in the
21 vehicle;

22 2.1. A vehicle operated by a fire chief who has
23 completed an emergency vehicle operation training course
24 approved by the Office of the State Fire Marshal and
25 designated or authorized by local authorities, in writing,

1 as a fire department, fire protection district, or township
2 fire department vehicle; however, the designation or
3 authorization must be carried in the vehicle, and the
4 lights may be visible or activated only when responding to
5 a bona fide emergency;

6 3. Vehicles of local fire departments and State or
7 federal firefighting vehicles;

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

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

16 6. Vehicles of the Illinois Emergency Management
17 Agency, vehicles of the Office of the Illinois State Fire
18 Marshal, vehicles of the Illinois Department of Public
19 Health, and vehicles of the Department of Nuclear Safety;

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

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

25 9. Vehicles that are equipped and used exclusively as
26 organ transplant vehicles when used in combination with

1 blue oscillating, rotating, or flashing lights;
2 furthermore, these lights shall be lighted only when the
3 transportation is declared an emergency by a member of the
4 transplant team or a representative of the organ
5 procurement organization; and

6 10. Vehicles of the Illinois Department of Natural
7 Resources that are used for mine rescue and explosives
8 emergency response.

9 11. Vehicles of the Illinois Department of
10 Transportation identified as Emergency Traffic Patrol. The
11 lights shall not be lighted except when responding to an
12 emergency call or when parked or stationary while engaged
13 in motor vehicle assistance or at the scene of the
14 emergency.

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

17 1. Second division vehicles designed and used for
18 towing or hoisting vehicles; furthermore, such lights
19 shall not be lighted except as required in this paragraph
20 1; such lights shall be lighted when such vehicles are
21 actually being used at the scene of an accident or
22 disablement; if the towing vehicle is equipped with a flat
23 bed that supports all wheels of the vehicle being
24 transported, the lights shall not be lighted while the
25 vehicle is engaged in towing on a highway; if the towing
26 vehicle is not equipped with a flat bed that supports all

1 wheels of a vehicle being transported, the lights shall be
2 lighted while the towing vehicle is engaged in towing on a
3 highway during all times when the use of headlights is
4 required under Section 12-201 of this Code;

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

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

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

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

24 6. The front and rear of motorized equipment owned and
25 operated by the State of Illinois or any political
26 subdivision thereof, which is designed and used for removal

1 of snow and ice from highways;

2 (6.1) The front and rear of motorized equipment or
3 vehicles that (i) are not owned by the State of Illinois or
4 any political subdivision of the State, (ii) are designed
5 and used for removal of snow and ice from highways and
6 parking lots, and (iii) are equipped with a snow plow that
7 is 12 feet in width; these lights may not be lighted except
8 when the motorized equipment or vehicle is actually being
9 used for those purposes on behalf of a unit of government;

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

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

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

18 9.5. Propane delivery trucks;

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

23 10.5. Vehicles of the Office of the Illinois State Fire
24 Marshal, provided that such lights shall not be lighted
25 except for when such vehicles are engaged in work for the
26 Office of the Illinois State Fire Marshal;

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

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

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

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

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

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

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

22 voluntary firefighter;

23 paid firefighter;

24 part-paid firefighter;

25 call firefighter;

26 member of the board of trustees of a fire

1 protection district;

2 paid or unpaid member of a rescue squad;

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

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

11 However, such lights are not to be lighted except when
12 responding to a bona fide emergency or when parked or
13 stationary at the scene of a fire, rescue call, ambulance
14 call, or motor vehicle accident.

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

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

25 (B) the member's position within the fire
26 department, fire protection district, rescue squad,

1 ambulance unit, or emergency management services
2 agency;

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

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

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

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

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

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

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

1 7. Vehicles of the Illinois Emergency Management
2 Agency, vehicles of the Office of the Illinois State Fire
3 Marshal, vehicles of the Illinois Department of Public
4 Health, and vehicles of the Department of Nuclear Safety,
5 when used in combination with red oscillating, rotating, or
6 flashing lights.

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

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

15 (c-1) In addition to the blue oscillating, rotating, or
16 flashing lights permitted under subsection (c), and
17 notwithstanding subsection (a), a vehicle operated by a
18 voluntary firefighter, a voluntary member of a rescue squad, or
19 a member of a voluntary ambulance unit may be equipped with
20 flashing white headlights and blue grill lights, which may be
21 used only in responding to an emergency call or when parked or
22 stationary at the scene of a fire, rescue call, ambulance call,
23 or motor vehicle accident.

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. 96-214, eff. 8-10-09; 96-1190, eff. 7-22-10;
8 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff.
9 7-13-12.)".