

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2866

By: Buck

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; authorizing use of  
8 certain lights on volunteer fire fighter vehicles;  
9 amending 47 O.S. 2001, Section 12-227, as last  
10 amended by Section 2, Chapter 193, O.S.L. 2005 (47  
11 O.S. Supp. 2009, Section 12-227), which relates to  
12 special restrictions on lamps and illuminating  
13 devices; adding an exception to certain prohibited  
14 act; providing for codification; and providing an  
15 effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 12-218.3 of Title 47, unless  
19 there is created a duplication in numbering, reads as follows:

20 The Chief of a fire department shall be authorized to designate  
21 a maximum of three volunteer fire fighters who may equip the  
22 privately owned vehicle of the volunteer fire fighter with flashing  
23 red or blue lights or a combination of flashing red and blue lights  
24 for the purpose of responding to alarms of fire and other  
emergencies. The lights shall be visible at five hundred (500) feet  
in normal sunlight.

1 SECTION 2. AMENDATORY 47 O.S. 2001, Section 12-227, as  
2 last amended by Section 2, Chapter 193, O.S.L. 2005 (47 O.S. Supp.  
3 2009, Section 12-227), is amended to read as follows:

4 Section 12-227. A. Any lighted lamp or illuminating device  
5 upon a motor vehicle, other than headlamps, spot lamps, auxiliary  
6 driving lamps, flashing turn signals, vehicular hazard warning  
7 lamps, authorized emergency vehicle lamps, snow removal and  
8 construction and maintenance vehicle warning lamps, and school bus  
9 and church bus warning lamps, which projects a beam of light of an  
10 intensity greater than three hundred (300) candlepower shall be so  
11 directed that no part of the high intensity portion of the beam will  
12 strike the level of the roadway on which the vehicle stands at a  
13 distance of more than seventy-five (75) feet from the vehicle.

14 B. Except as provided in Sections 12-218, 12-218.1, 12-228 and  
15 12-229 of this title, no person shall drive or move any vehicle or  
16 equipment upon any highway with any lamp or device thereon  
17 displaying or capable of displaying a red or blue light visible from  
18 directly in front of the center thereof.

19 C. Flashing lights are prohibited except on:

20 1. An authorized emergency vehicle, as provided in Section 12-  
21 218 of this title;

22 2. A school bus or a church bus, as provided in Section 12-228  
23 of this title;

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- 1        3. Any snow-removal and construction, and maintenance  
2 equipment, as provided in Section 12-229 of this title;
- 3        4. A wrecker or tow vehicle while at the scene of an emergency  
4 or loading or unloading a vehicle in close proximity to traffic as  
5 needed for safety precautions or as a means of indicating the  
6 presence of a vehicular traffic hazard requiring unusual care in  
7 approaching, overtaking or passing, as provided in Section 12-218.1  
8 of this title;
- 9        5. Any vehicle as a means of indicating a right or left turn,  
10 as provided in Sections 12-206.1 and 12-606 of this title;
- 11        6. Any vehicle as means of indicating the presence of a  
12 vehicular traffic hazard requiring unusual care in approaching,  
13 overtaking or passing, as provided in Section 12-220 of this title;
- 14        7. Any vehicle displaying side marker lamps which flash in  
15 conjunction with turn signal lamps or vehicle hazard warning lamps,  
16 as provided in Section 12-220 of this title;
- 17        8. A farm tractor or an implement of husbandry, as provided in  
18 Section 12-215 of this title; ~~or~~
- 19        9. Any vehicle used while performing official duties as a rural  
20 or contract route mail carrier of the United States Postal Service,  
21 as provided in Section 12-218.2 of this title; or
- 22        10. Any vehicle of a volunteer fire fighter that is used to  
23 respond to a fire alarm or other emergency, as provided in Section 1  
24 of this act.

1 D. Blue lights are prohibited except as allowed in Sections 12-  
2 218, 12-218.1 ~~and~~, 12-229 of this title and Section 1 of this act.

3 E. Any person violating the provisions of subsection B, C or D  
4 of this section shall, upon conviction, be guilty of a misdemeanor  
5 punishable by imprisonment in the county jail not exceeding six (6)  
6 months, or by a fine not exceeding Two Thousand Dollars (\$2,000.00),  
7 or by both such fine and imprisonment.

8 SECTION 3. This act shall become effective November 1, 2010.

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