

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3062

By: Russ

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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 A volunteer fire fighter may equip a privately owned vehicle
21 with emergency flashing red or white lights or a combination of
22 flashing red and white lights subject to the authorization of the
23 local fire chief. The chief of the local fire department shall have
24 the sole discretion in designating and allowing volunteer fire
fighters, if any, to use such lighting during an emergency. Such

1 authorization shall include a signed, written statement of use by
2 the volunteer fire fighter from the local fire chief and must be
3 carried in the vehicle of the volunteer fire fighter at the time of
4 such use of lighting. The lights shall be visible at five hundred
5 (500) feet in normal sunlight.

6 SECTION 2. AMENDATORY 47 O.S. 2001, Section 12-227, as
7 last amended by Section 2, Chapter 193, O.S.L. 2005 (47 O.S. Supp.
8 2009, Section 12-227), is amended to read as follows:

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

19 B. Except as provided in Sections 12-218, 12-218.1, 12-228 and
20 12-229 of this title and Section 1 of this act, no person shall
21 drive or move any vehicle or equipment upon any highway with any
22 lamp or device thereon displaying or capable of displaying a red or
23 blue light visible from directly in front of the center thereof.

24 C. Flashing lights are prohibited except on:

- 1 1. An authorized emergency vehicle, as provided in Section 12-
2 218 of this title;
- 3 2. A school bus or a church bus, as provided in Section 12-228
4 of this title;
- 5 3. Any snow-removal and construction, and maintenance
6 equipment, as provided in Section 12-229 of this title;
- 7 4. A wrecker or tow vehicle while at the scene of an emergency
8 or loading or unloading a vehicle in close proximity to traffic as
9 needed for safety precautions or as a means of indicating the
10 presence of a vehicular traffic hazard requiring unusual care in
11 approaching, overtaking or passing, as provided in Section 12-218.1
12 of this title;
- 13 5. Any vehicle as a means of indicating a right or left turn,
14 as provided in Sections 12-206.1 and 12-606 of this title;
- 15 6. Any vehicle as means of indicating the presence of a
16 vehicular traffic hazard requiring unusual care in approaching,
17 overtaking or passing, as provided in Section 12-220 of this title;
- 18 7. Any vehicle displaying side marker lamps which flash in
19 conjunction with turn signal lamps or vehicle hazard warning lamps,
20 as provided in Section 12-220 of this title;
- 21 8. A farm tractor or an implement of husbandry, as provided in
22 Section 12-215 of this title; ~~or~~

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1 9. Any vehicle used while performing official duties as a rural
2 or contract route mail carrier of the United States Postal Service,
3 as provided in Section 12-218.2 of this title; or

4 10. Any vehicle of a volunteer fire fighter that is used to
5 respond to a fire alarm or other emergency, as provided in Section 1
6 of this act.

7 D. Blue lights are prohibited except as allowed in Sections 12-
8 218, 12-218.1 and 12-229 of this title.

9 E. Any person violating the provisions of subsection B, C or D
10 of this section shall, upon conviction, be guilty of a misdemeanor
11 punishable by imprisonment in the county jail not exceeding six (6)
12 months, or by a fine not exceeding ~~Two Thousand Dollars (\$2,000.00)~~
13 Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine
14 and imprisonment.

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

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17 52-2-9539 GRS 01/13/10
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