WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1979

ENROLLED

SENATE BILL NO. 94

(By Mr. Colombo)

PASSED February 28, 1979

In Effect ninety days from Passage
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Senate Bill No. 94
(By Mr. Colombo)

(Passed February 28, 1979; in effect ninety days from passage.)

AN ACT to amend and reenact section twenty-six, article fifteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to special restrictions on lamps on motor vehicles; authorizing members of volunteer ambulance services or duly chartered rescue squads to have red flashing warning lights on their Class A vehicles under certain conditions; and restricting tow trucks and wreckers to use of amber or yellow flashing warning lights.

Be it enacted by the Legislature of West Virginia:

That section twenty-six, article fifteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 15. EQUIPMENT.

(a) Any lighted lamp or illuminating device upon a motor vehicle other than head lamps, spot lamps, auxiliary lamps or flashing front-direction signals which projects a beam of light of an intensity greater than three hundred candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

(b) No person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying other than a white or amber light
visible from directly in front of the center thereof except as authorized by subsection (d) of this section.

(c) Except as authorized in section nineteen, flashing lights are prohibited on motor vehicles, except on an authorized emergency vehicle, school bus, snow removal equipment or on any vehicle as a means for indicating right or left turn, or on any vehicle as a means of indicating the same is disabled or otherwise stopped for an emergency.

(d) Notwithstanding any other provisions of this chapter, the following color of flashing warning lights are restricted for the use of the type of vehicle designated:

(1) Blue flashing warning lights are restricted to police vehicles, except as authorized by section twenty-seven of this article.

(2) Except as authorized by sections nineteen and twenty-seven of this article, red flashing warning lights are restricted to ambulances, fire-fighting vehicles, school buses, Class A vehicles, as defined by section one, article ten, chapter seventeen-a of this code, of those volunteer firemen who are authorized by their fire chiefs to have such lights and to Class A vehicles of members of volunteer ambulance services or duly chartered rescue squads who are authorized by their respective chiefs to have such lights: Provided, That red flashing warning lights attached to such Class A vehicles may be operated only when responding to or engaged in handling an emergency requiring the attention of such volunteer firemen or members of such volunteer ambulance services or chartered rescue squads.

(3) All other emergency vehicles, including tow trucks and wreckers, authorized by this chapter and by section twenty-seven of this article shall be restricted to amber or yellow flashing warning lights.

It shall be unlawful for flashing warning lights of an unauthorized color to be installed or used on a vehicle other than as specified in this section, except that a police vehicle may be equipped with either or both blue or red warning lights.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

J. Wilcox, Jr.  
Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker, House of Delegates

The within approved this the 1 day of March, 1979.

Governor