WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1999

ENROLLED

SENATE BILL NO. 474

(By Senator ____________________)

PASSED ____________________ 1999

In Effect NINETY Days From Passage
ENROLLED

Senate Bill No. 474

(By Senators Ross, Schoonover, Ball and Anderson)

[Passed March 13, 1999; 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 the use of strobotron warning lights on public transit vehicles and vehicles hauling solid waste.

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.


1 (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 equip-
ment 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 subsections (d) and (f) of this
section and authorized in section nineteen of this article,
flashing lights are prohibited on motor vehicles: Provided,
That any vehicle as a means for indicating right or left
turn, or any vehicle as a means of indicating the same is
disabled or otherwise stopped for an emergency may have
blinking or flashing lights.

(d) Notwithstanding any other provisions of this chapter,
the following colors of flashing warning lights are re-
stricted for the use of the type of vehicle designated:

(1) Blue flashing warning lights are restricted to police
vehicles. Authorization for police vehicles shall be design-
nated by the chief administrative official of each police
department.

(2) Except for standard vehicle equipment authorized by
section nineteen of this article, red flashing warning lights
are restricted to ambulances; firefighting vehicles; hazard-
ous material response vehicles; industrial fire brigade
vehicles; school buses; Class A vehicles, as defined by
section one, article ten, chapter seventeen-a of this code,
of those firefighters who are authorized by their fire chiefs
to have the lights; Class A vehicles of members of ambu-
 lance services or duly chartered rescue squads who are
authorized by their respective chiefs to have the lights; and
Class A vehicles of out-of-state residents who are active
members of West Virginia fire departments, ambulance
services or duly chartered rescue squads who are autho-
rized by their respective chiefs to have the lights. Red
flashing warning lights attached to the Class A vehicles
shall be operated only when responding to or engaged in
handling an emergency requiring the attention of the
firefighters, members of the ambulance services, or
chartered rescue squads.

(3) The use of red flashing warning lights shall be
authorized as follows:

(A) Authorization for all ambulances shall be designated
by the department of health and human resources and the
sheriff of the county of residence.

(B) Authorization for all fire department vehicles shall
be designated by the fire chief and the state fire marshal's
office.

(C) Authorization for all hazardous material response
vehicles and industrial fire brigades shall be designated by
the chief of the fire department and the state fire marshal's
office.

(D) Authorization for all rescue squad vehicles not
operating out of a fire department shall be designated by
the squad chief, the sheriff of the county of residence and
the department of health and human resources.

(E) Authorization for school buses shall be designated as
set out in section twelve, article fourteen, chapter seven-

(F) Authorization for firefighters to operate Class A
vehicles shall be designated by their fire chiefs and the
state fire marshal's office.

(G) Authorization for members of ambulance services or
any other emergency medical service personnel to operate
Class A vehicles shall be designated by their chief official,
the department of health and human resources and the
sheriff of the county of residence.

(H) Authorization for members of duly chartered rescue
squads not operating out of a fire department to operate
Class A vehicles shall be designated by their squad chiefs,
the sheriff of the county of residence and the department
of health and human resources.

(I) Authorization for out-of-state residents operating
Class A vehicles who are active members of a West Vir-
(4) Yellow flashing warning lights are restricted to the following:

(A) All other emergency vehicles, including tow trucks and wreckers, authorized by this chapter and by section twenty-seven of this article;

(B) Postal service vehicles and rural mail carriers, as authorized in section nineteen of this article;

(C) Rural newspaper delivery vehicles;

(D) Flag car services;

(E) Vehicles providing road service to disabled vehicles;

(F) Service vehicles of a public service corporation;

(G) Snow removal equipment; and

(H) School buses.

(5) The use of yellow flashing warning lights shall be authorized as follows:

(A) Authorization for tow trucks, wreckers, rural newspaper delivery vehicles, flag car services, vehicles providing road service to disabled vehicles, service vehicles of a public service corporation and postal service vehicles shall be designated by the sheriff of the county of residence.

(B) Authorization for snow removal equipment shall be designated by the commissioner of the division of highways.

(C) Authorization for school buses shall be designated as set out in section twelve, article fourteen, chapter seventeen-c.

(e) Notwithstanding the foregoing provisions of this section, any vehicle belonging to a county board of education, an organization receiving funding from the state or federal transit administration for the purpose of providing general public transportation, or hauling solid waste may
be equipped with a white flashing strobotron warning light. This strobe light may be installed on the roof of a school bus, a public transportation vehicle, or a vehicle hauling solid waste not to exceed one-third the body length forward from the rear of the roof edge. The light shall have a single clear lens emitting light three hundred sixty degrees around its vertical axis and may not extend above the roof more than six and one-half inches. A manual switch and a pilot light must be included to indicate the light is in operation.

(f) 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.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 7th Day of .................., 1999

Governor