

SB 974

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999



ENROLLED

SENATE BILL NO. 474

(By Senator ROSS, ET AL)



PASSED MARCH 13, 1999
In Effect NINETY DAYS FROM Passage

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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.

§17C-15-26. Special restrictions on lamps.

- 1 (a) Any lighted lamp or illuminating device upon a motor
- 2 vehicle other than head lamps, spot lamps, auxiliary lamps
- 3 or flashing front-direction signals which projects a beam
- 4 of light of an intensity greater than three hundred
- 5 candlepower shall be so directed that no part of the beam

6 will strike the level of the roadway on which the vehicle
7 stands at a distance of more than seventy-five feet from
8 the vehicle.

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

14 (c) Except as authorized in subsections (d) and (f) of this
15 section and authorized in section nineteen of this article,
16 flashing lights are prohibited on motor vehicles: *Provided*,
17 That any vehicle as a means for indicating right or left
18 turn, or any vehicle as a means of indicating the same is
19 disabled or otherwise stopped for an emergency may have
20 blinking or flashing lights.

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

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

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

45 firefighters, members of the ambulance services, or
46 chartered rescue squads.

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

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

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

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

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

63 (E) Authorization for school buses shall be designated as
64 set out in section twelve, article fourteen, chapter seven-
65 teen-c.

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

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

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

79 (I) Authorization for out-of-state residents operating
80 Class A vehicles who are active members of a West Vir-

81 ginia fire department, ambulance services or duly char-
82 tered rescue squads shall be designated by their respective
83 chiefs.

84 (4) Yellow flashing warning lights are restricted to the
85 following:

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

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

91 (C) Rural newspaper delivery vehicles;

92 (D) Flag car services;

93 (E) Vehicles providing road service to disabled vehicles;

94 (F) Service vehicles of a public service corporation;

95 (G) Snow removal equipment; and

96 (H) School buses.

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

99 (A) Authorization for tow trucks, wreckers, rural news-
100 paper delivery vehicles, flag car services, vehicles provid-
101 ing road service to disabled vehicles, service vehicles of a
102 public service corporation and postal service vehicles shall
103 be designated by the sheriff of the county of residence.

104 (B) Authorization for snow removal equipment shall be
105 designated by the commissioner of the division of high-
106 ways.

107 (C) Authorization for school buses shall be designated as
108 set out in section twelve, article fourteen, chapter seven-
109 teen-c.

110 (e) Notwithstanding the foregoing provisions of this
111 section, any vehicle belonging to a county board of educa-
112 tion, an organization receiving funding from the state or
113 federal transit administration for the purpose of providing
114 general public transportation, or hauling solid waste may

115 be equipped with a white flashing strobotron warning
116 light. This strobe light may be installed on the roof of a
117 school bus, a public transportation vehicle, or a vehicle
118 hauling solid waste not to exceed one-third the body
119 length forward from the rear of the roof edge. The light
120 shall have a single clear lens emitting light three hundred
121 sixty degrees around its vertical axis and may not extend
122 above the roof more than six and one-half inches. A
123 manual switch and a pilot light must be included to
124 indicate the light is in operation.

125 (f) It shall be unlawful for flashing warning lights of an
126 unauthorized color to be installed or used on a vehicle
127 other than as specified in this section, except that a police
128 vehicle may be equipped with either or both blue or red
129 warning lights.

A handwritten signature in dark ink, appearing to read "Carl H. [unclear]", is written across the lower half of the page. The signature is cursive and somewhat stylized.

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



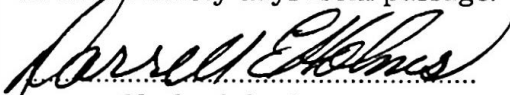
Chairman Senate Committee



Chairman House Committee

Originating in the Senate.

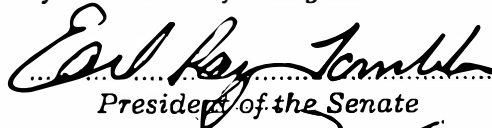
In effect ninety days from passage.



Clerk of the Senate



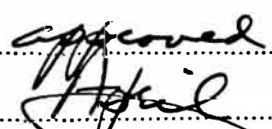
Clerk of the House of Delegates



President of the Senate



Speaker House of Delegates

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



Governor

PRESENTED TO THE

GOVERNOR

Date 9/30/99

Time 10:48am