

1 **State of Arkansas**

2 **80th General Assembly**

3 **Regular Session, 1995**

4 **By: Representative Wallis *and Malone***

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**For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE §§27-36-304 and 27-49-219  
9 TO ALLOW THE USE OF PORTABLE DASH-MOUNTED EMERGENCY LIGHTS  
10 ON PRIVATELY OWNED VEHICLES USED BY FIRE FIGHTERS WHEN  
11 RESPONDING TO A FIRE OR OTHER EMERGENCY; AND FOR OTHER  
12 PURPOSES."

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**Subtitle**

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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code 27-36-304 is amended to read as follows:

24 "27-36-304. Fire department vehicles and ambulances.

25 (a) All state, county, city, and municipal or privately owned fire  
26 departments, funeral homes, or ambulance companies shall install, maintain,  
27 and exhibit red rotating or flashing emergency lights upon all fire department  
28 vehicles, automobiles used by firefighters, and ambulances which are equipped  
29 with emergency lighting and operated within Arkansas. Fire fighters shall be  
30 allowed to use portable dash-mounted red rotating or flashing emergency lights  
31 on their privately owned automobiles when responding to a fire or other  
32 emergency.

33 (b) Emergency medical technicians certified by the Department of Health  
34 may install, maintain, and exhibit red rotating or flashing emergency lights  
35 upon a vehicle when responding to an emergency."

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2 SECTION 2. Arkansas Code 27-49-219 is amended to read as follows:

3 "27-49-219. Vehicles.

4 (a) Vehicle means every device in, upon, or by which any person or  
5 property is or may be transported or drawn upon a highway, except devices  
6 moved by human power or used exclusively upon stationary rails or tracks.

7 (b) Motor vehicles means every vehicle which is self-propelled and  
8 every vehicle which is propelled by electric power obtained from overhead  
9 trolley wires but not operated upon rails.

10 (c) Motorcycle means every motor vehicle having a saddle for the use  
11 of the rider and designed to travel on not more than three (3) wheels in  
12 contact with the ground but excluding a tractor.

13 (d) (1) Authorized emergency vehicle means authorized emergency  
14 vehicles which shall include:

15 (A) Motor vehicles used by state, county, or city and  
16 municipal police agencies, all of which shall be equipped with blue rotating  
17 or flashing emergency lights;

18 (B) Motor vehicles used by state, county, city, or  
19 municipal fire departments, motor vehicles owned and used by volunteer fire  
20 fighters while engaged in official duties, motor vehicles used by emergency  
21 medical technicians certified by the Department of Health or privately owned  
22 fire departments, and ambulances used solely for ambulance purposes which are  
23 approved as ambulances in accordance with state and federal highway safety  
24 standards, all of which shall be equipped with red rotating or flashing  
25 emergency lights. Flashing emergency lights as described in §27-36-304 shall  
26 be used by volunteer fire fighters solely while engaged in the performance of  
27 duties as volunteer fire fighters and by emergency medical technicians solely  
28 while engaged in the performance of duties with an ambulance service licensed  
29 by the Department of Health or an organized rescue squad or team; and

30 (C) Motor vehicles owned by state, county, and municipal  
31 agencies whose use is determined by the state agency to be required for  
32 dangerous or hazardous services and motor vehicles owned by public service  
33 corporations or private individuals whose use is determined by the Office of  
34 Motor Vehicle, in accordance with regulations established by the commissioner  
35 to prevent abuses thereof, to be for extra hazardous service, may be equipped

1 with amber flashing or rotating emergency or warning lights which shall not  
2 qualify it as an emergency vehicle, but which shall, during hazardous uses  
3 thereof, display its amber flashing or rotating emergency or warning light in  
4 order that other motorists and the public may be aware of the special or  
5 hazardous use of the vehicle and shall exercise caution in approaching the  
6 vehicle at all times while the amber flashing or rotating emergency or warning  
7 light is in operation. All hazardous service vehicles shall conform to  
8 regular traffic signals and speed limits during their operation.

9           (2) It shall be unlawful to install, operate, or use any rotating  
10 or flashing light on any motor vehicle except as authorized in this  
11 subsection.

12           (e) School bus means every motor vehicle owned by a public or  
13 governmental agency and operated for the transportation of children to or from  
14 school or privately owned and operated for compensation for the transportation  
15 of children to or from school."

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17           SECTION 3. All provisions of this act of a general and permanent nature  
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
19 Revision Commission shall incorporate the same in the Code.

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21           SECTION 4. If any provision of this act or the application thereof to  
22 any person or circumstance is held invalid, such invalidity shall not affect  
23 other provisions or applications of the act which can be given effect without  
24 the invalid provision or application, and to this end the provisions of this  
25 act are declared to be severable.

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27           SECTION 5. All laws and parts of laws in conflict with this act are  
28 hereby repealed.

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*/s/Rep Wallis, et al*

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APPROVED: 2-1-95

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