

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1019

4 By: Representative Wallis *and Malone*

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."

Subtitle

15 "TO ALLOW THE USE OF PORTABLE
16 DASH-MOUNTED EMERGENCY LIGHTS ON
17 PRIVATELY OWNED VEHICLES USED BY FIRE
18 FIGHTERS WHEN RESPONDING TO A FIRE OR
19 OTHER EMERGENCY"

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

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
28 department vehicles, automobiles used by firefighters, and ambulances which
29 are equipped with emergency lighting and operated within Arkansas. Fire
30 fighters shall be allowed to use portable dash-mounted red rotating or
31 flashing emergency lights on their privately owned automobiles when
32 responding to a fire or other emergency.

33 (b) Emergency medical technicians certified by the Department of
34 Health may install, maintain, and exhibit red rotating or flashing emergency

1 lights upon a vehicle when responding to an emergency."
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3 SECTION 2. Arkansas Code 27-49-219 is amended to read as follows:

4 "27-49-219. Vehicles.

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

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

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

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

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

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

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

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

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

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

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

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

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

30 /s/Rep Wallis, et al

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