

5593--A

2009-2010 Regular Sessions

I N S E N A T E

May 20, 2009

Introduced by Sen. AUBERTINE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to allowing fire vehicles to display a combination of red, white and/or blue lights for rear projection only

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision (e) of section 1180 of the vehicle and traffic  
2 law, as amended by chapter 211 of the laws of 2004, is amended to read  
3 as follows:

4 (e) The driver of every vehicle shall, consistent with the require-  
5 ments of subdivision (a) of this section, drive at an appropriate  
6 reduced speed when approaching and crossing an intersection or railway  
7 grade crossing, when approaching and going around a curve, when  
8 approaching a hill crest, when approaching and passing by an emergency  
9 situation involving any authorized emergency vehicle which is parked,  
10 stopped or standing on a highway and which is displaying one or more red  
11 or combination red [and], white, AND/OR BLUE lights pursuant to the  
12 provisions of paragraph two AND SUBPARAGRAPH B OF PARAGRAPH FOUR of  
13 subdivision forty-one of section three hundred seventy-five of this  
14 chapter, when traveling upon any narrow or winding roadway, and when any  
15 special hazard exists with respect to pedestrians, or other traffic by  
16 reason of weather or highway conditions, including, but not limited to a  
17 highway construction or maintenance work area.

18 S 2. Paragraph 4 of subdivision 41 of section 375 of the vehicle and  
19 traffic law, as amended by chapter 45 of the laws of 2006, is amended to  
20 read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD11327-04-0

1 4. Blue light. a. One blue light may be affixed to any motor vehicle  
2 owned by a volunteer member of a fire department or on a motor vehicle  
3 owned by a member of such person's family residing in the same household  
4 or by a business enterprise in which such person has a proprietary  
5 interest or by which he or she is employed, provided such volunteer  
6 firefighter has been authorized in writing to so affix a blue light by  
7 the chief of the fire department or company of which he or she is a  
8 member, which authorization shall be subject to revocation at any time  
9 by the chief who issued the same or his or her successor in office. Such  
10 blue light may be displayed exclusively by such volunteer firefighter on  
11 such a vehicle only when engaged in an emergency operation. The [use of  
12 blue and red light combinations shall be prohibited on all fire vehi-  
13 cles. The use of blue lights on fire vehicles shall be prohibited and  
14 the] use of blue lights on vehicles shall be restricted for use only by  
15 a volunteer firefighter except as otherwise provided for in subparagraph  
16 b of this paragraph.

17 b. In addition to the red and white lights authorized to be displayed  
18 pursuant to paragraph two of this subdivision, one or more blue lights  
19 or combination blue and red lights or combination blue, red and white  
20 lights may be affixed to a police VEHICLE AND FIRE vehicle, provided  
21 that such blue light or lights shall be displayed on a police VEHICLE  
22 AND FIRE vehicle for rear projection only. In the event that the trunk  
23 or rear gate of a police VEHICLE AND FIRE vehicle obstructs or dimin-  
24 ishes the visibility of other emergency lighting on such [vehicle] VEHI-  
25 CLES, a blue light may be affixed to and displayed from the trunk, rear  
26 gate or interior of such [vehicle] VEHICLES. Such lights may be  
27 displayed on a police VEHICLE AND FIRE vehicle when such [vehicle is]  
28 VEHICLES ARE engaged in an emergency operation. Nothing contained in  
29 this subparagraph shall be deemed to authorize the use of blue lights on  
30 police VEHICLES AND FIRE vehicles unless such vehicles also display one  
31 or more red or combination red and white lights as otherwise authorized  
32 in this subdivision.

33 c. The commissioner is authorized to promulgate rules and regulations  
34 relating to the use, placement, power and display of blue lights on a  
35 police VEHICLE AND FIRE vehicle.

36 S 3. This act shall take effect immediately.