

House Study Bill 85 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON BEST)

A BILL FOR

1 An Act relating to lighting devices and other equipment on
2 snow plows and authorized emergency vehicles, providing
3 penalties, and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.393, subsections 4 and 5, Code 2021,
2 are amended to read as follows:

3 4. The provisions of this section shall not prohibit the
4 use of a lighting device or reflector displaying an amber light
5 when such lighting device or reflector is mounted on a motor
6 truck, trailer, tractor, or motor grader owned by the state,
7 or any political subdivision of the state, ~~or any municipality~~
8 therein including any local authority, while such equipment is
9 being used for snow removal, sanding, maintenance, or repair of
10 the public streets or highways.

11 5. The provisions of this section shall not prohibit the
12 use of a lighting device or reflector displaying an amber,
13 white, or blue light when the lighting device or reflector is
14 rear-facing and mounted on a motor truck, trailer, tractor,
15 truck-mounted snow blower, or motor grader owned by the
16 ~~department~~ state or any political subdivision of the state,
17 including any local authority, while the equipment is being
18 used for snow and ice treatment or removal on the public
19 streets or highways.

20 Sec. 2. Section 321.423, subsection 2, paragraph f, Code
21 2021, is amended to read as follows:

22 *f.* A flashing white light, including a flashing headlamp, is
23 permitted on a vehicle pursuant to subsection 7.

24 Sec. 3. Section 321.423, subsection 3, paragraph a,
25 subparagraphs (3) and (4), Code 2021, are amended to read as
26 follows:

27 (3) An authorized emergency vehicle, other than a vehicle
28 described in paragraph "a", subparagraph (1) or (2), ~~if the blue~~
29 ~~light is positioned on the passenger side of the vehicle and is~~
30 ~~used in conjunction with a red light positioned on the driver~~
31 ~~side of the vehicle.~~

32 (4) A motor truck, trailer, tractor, truck-mounted snow
33 blower, or motor grader owned by the ~~department~~ state or
34 any political subdivision of the state, including any local
35 authority, if the blue light is rear-facing and used in

1 conjunction with amber and white lighting devices or reflectors
2 while the equipment is being used for snow and ice treatment or
3 removal on the public streets or highways.

4 Sec. 4. Section 321.423, subsection 7, paragraph a,
5 subparagraph (4), Code 2021, is amended to read as follows:

6 (4) On a motor truck, trailer, tractor, truck-mounted
7 snow blower, or motor grader owned by the ~~department~~ state or
8 any political subdivision of the state, including any local
9 authority, if the white light is rear-facing and used in
10 conjunction with amber and blue lighting devices or reflectors
11 while the equipment is being used for snow and ice treatment or
12 removal on the public streets or highways.

13 Sec. 5. NEW SECTION. **321.424 Authorized emergency vehicle**
14 **lights.**

15 Notwithstanding any provision of law to the contrary:

16 1. An authorized emergency vehicle may be equipped with
17 a combination of interior and exterior lights, flashing
18 headlamps, and flashing tail lamps as provided in this section
19 and in this chapter.

20 2. An official law enforcement, fire department, or
21 emergency medical services vehicle owned by the state or a
22 municipality, as defined in section 670.1, may be equipped with
23 flashing headlamps.

24 3. An authorized emergency vehicle owned by the state,
25 a municipality, as defined in section 670.1, or a private
26 emergency medical services company delivering services to the
27 state, a municipality, or a hospital pursuant to a written
28 contract, or a privately owned vehicle designated as an
29 authorized emergency vehicle pursuant to section 321.451, shall
30 be equipped with a combination of operational red and blue
31 lights. However, a towing or recovery vehicle, unless owned
32 by the state or a municipality, shall not be equipped with red
33 and blue lights.

34 4. An authorized emergency vehicle equipped with an
35 interior or exterior light bar must have the light bar

1 positioned such that front and rear facing red lights are on
2 the driver's side of the vehicle and front and rear facing blue
3 lights are on the passenger's side of the vehicle.

4 5. An authorized emergency vehicle equipped with an
5 interior or exterior light bar with red and blue flashing
6 lights may be equipped with flashing or solid white lights
7 scattered among or between a clear or colored lens that
8 displays a red or blue flashing light.

9 6. An authorized emergency vehicle may be equipped with one
10 or more lights capable of emitting a split red and blue steady
11 or flashing light, which may be mounted on or in the vehicle.

12 7. An authorized emergency vehicle may be equipped with one
13 or more lights on the side of the vehicle capable of emitting
14 red and blue light, red and white light, or blue and white
15 light.

16 8. An authorized emergency vehicle may be equipped with one
17 or more lights with a clear or colored lens.

18 9. An official law enforcement, fire, rescue, or emergency
19 medical services vehicle may be equipped with lights or
20 light bars containing one or more rear zone amber lights or
21 amber directional arrows, which shall be in addition to any
22 other required lighting equipment. An authorized emergency
23 vehicle shall not be equipped with an amber light positioned
24 on the front or side of the vehicle. However, an aerial fire
25 apparatus may be equipped with amber flashing lights on the
26 outriggers of the apparatus.

27 10. An authorized emergency vehicle may be equipped with
28 one or more steady, oscillating, or flashing white lights,
29 flashing headlamps, or flashing reverse lamps, which shall be
30 in addition to any other required lighting equipment. A light
31 bar shall not be equipped or used to display flashing white
32 lights visible from the rear of the vehicle. This subsection
33 shall not be construed to prohibit an authorized emergency
34 vehicle owned by the state or a municipality, as defined in
35 section 670.1, from being equipped with or using a spotlight or

1 exterior light bar capable of displaying a steady white light
2 for use as a work light, alley light, search light, or take
3 down light.

4 11. An authorized emergency vehicle owned by a state or a
5 municipality, as defined in section 670.1, that is primarily
6 used as an incident command vehicle may be equipped with one
7 or more steady or flashing green lights, which shall be in
8 addition to any other required lighting equipment. A steady
9 or flashing green light equipped pursuant to this subsection
10 shall not be activated unless the vehicle is being used as
11 a stationary incident command post at the location of an
12 emergency incident, an official training exercise, or for
13 maintenance or demonstration purposes.

14 Sec. 6. Section 321.433, Code 2021, is amended to read as
15 follows:

16 **321.433 Sirens, whistles, and bells prohibited.**

17 1. A vehicle shall not be equipped with and a person shall
18 not use upon a vehicle any siren, whistle, or bell, except as
19 otherwise permitted in [this section](#). It is permissible but not
20 required that any commercial vehicle be equipped with a theft
21 alarm signal device which is so arranged that it cannot be used
22 by the driver as an ordinary warning signal. Any authorized
23 emergency vehicle may be equipped with a siren, whistle, or
24 bell capable of emitting sound audible under normal conditions
25 from a distance of not less than five hundred feet, but the
26 siren, whistle, or bell shall not be used except when the
27 vehicle is operated in response to an emergency call or in
28 the immediate pursuit of an actual or suspected violator of
29 the law, and the driver of the vehicle shall sound the siren,
30 whistle, or bell when necessary to warn pedestrians and other
31 drivers of the approach of the vehicle.

32 2. A towing or recovery vehicle, unless owned by the state
33 or a municipality, as defined in section 670.1, shall not be
34 equipped with a siren.

35 Sec. 7. Section 805.8A, subsection 3, Code 2021, is amended

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *Oac.* Section 321.424... § 45.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 In 2015, the general assembly authorized motor trucks,
7 trailers, tractors, truck-mounted snow blowers, and motor
8 graders owned by the department of transportation and used for
9 snow and ice treatment or removal to display rear-facing blue
10 and white lighting devices or reflectors in conjunction with
11 amber lighting devices or reflectors. These authorizations
12 were set to be repealed July 1, 2019. In 2018, the general
13 assembly struck these future repeal provisions.

14 This bill applies those authorizations to such vehicles
15 owned by the state or any political subdivision of the
16 state, including any local authority. Under Code chapter
17 321, a "local authority" is any county, municipal, and other
18 local board or body having authority to adopt local police
19 regulations under the constitution and laws of the state.

20 The bill allows authorized emergency vehicles to be equipped
21 with a variety of lighting devices, including flashing
22 headlamps, flashing or solid white lights, split red and blue
23 steady or flashing lights, and lights or light bars containing
24 one or more rear zone amber lights or amber directional arrows.
25 The bill requires authorized emergency vehicles to be equipped
26 with a combination of operational red and blue lights, and
27 if equipped with a light bar, requires the light bar to be
28 positioned such that the front and rear facing red lights are
29 on the driver's side of the vehicle and the front and rear
30 facing blue lights are on the passenger's side of the vehicle.
31 In addition, an incident command vehicle may be equipped
32 with one or more steady or flashing green lights. However,
33 a towing or recovery vehicle, unless owned by the state or a
34 municipality, is prohibited from being equipped with red and
35 blue lights and a siren.

H.F. _____

1 Under current law, a violation of Code section 321.423 or
2 321.433 is punishable by a scheduled fine of \$45. The bill
3 provides that violations of Code section 321.424 are also
4 punishable by a scheduled fine of \$45.