

ASSEMBLY, No. 2998

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED JUNE 7, 2004

Sponsored by:

Assemblyman FREDERICK SCALERA

District 36 (Bergen, Essex and Passaic)

Assemblyman JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Assemblyman Wisniewski

SYNOPSIS

Permits certain lights and horns on emergency service volunteers' vehicles.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/28/2004)

A2998 SCALERA, VAN DREW

2

1 AN ACT concerning emergency warning lights and sirens of fire and
2 first aid or rescue squad volunteers, amending P.L.1977, c.223 and
3 P.L.1985, c.171.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. Section 1 of P.L.1977, c.223 (C.39:3-54.7) is amended to read
9 as follows:

10 1. An active member in good standing of a volunteer fire company
11 or a volunteer first aid or rescue squad recognized by and rendering
12 service in any municipality may display on any motor vehicle driven by
13 him an emergency warning light or lights or an electronic horn,
14 approved by the director, or both light or lights and electronic horn as
15 provided in this act. The Director of Motor Vehicles shall not require
16 the member to specify on which motor vehicles the emergency warning
17 light or lights or the electronic horn may be mounted.

18 "Electronic horn" means a non-pneumatic, non-wavering electronic,
19 audible warning device.

20 (cf: P.L.1995, c.37, s.1)

21

22 2. Section 2 of P.L.1977, c.223 (C.39:3-54.8) is amended to read
23 as follows:

24 2. Emergency warning lights or an electronic horn may be operated
25 only while the vehicle is being used in answering a fire or emergency
26 call. Electronic horns shall be mounted and operated according to
27 guidelines established by the director after consultation with the Office
28 of Emergency Medical Services in the Department of Health and
29 Senior Services and the Division of Fire Safety in the Department of
30 Community Affairs.

31 (cf: P.L.1977, c.223, s.2)

32

33 3. Section 3 of P.L.1977, c.223 (C.39:3-54.9) is amended to read
34 as follows:

35 3. Emergency warning lights shall be temporarily or permanently
36 attached, removable lights of the flashing or revolving type, [not more
37 than 7 1/2 inches in diameter,] equipped with a blue lens and [a lamp
38 of not more than 51 candlepower and shall be] controlled by a switch
39 installed inside the vehicle or shall be blue of the light bar type, in
40 accordance with the specifications prescribed by the director.

41 (cf: P.L.1979, c.71, s.2)

42

43 4. Section 4 of P.L.1977, c.223 (C.39:3-54.10) is amended to read

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 as follows:

2 4. No more than two emergency warning lights shall be installed on
3 a vehicle. If one light is used it shall be installed in the center of the
4 roof of the car, or on the left windshield column in a position where a
5 spotlight is normally located, or on the front of the vehicle so that the
6 top of the emergency warning light is no higher than the top of the
7 vehicle's headlights, or in the center of the dashboard. It may be a low
8 profile light bar of the strobe, halogen or incandescent type, or a
9 combination thereof. If two lights are used they may be placed on the
10 windshield columns on each side of the vehicle where spotlights are
11 normally mounted, or on either side of the roof at the front of the
12 vehicle directly back of the top of the windshield. Under no
13 circumstances may one light be placed on the roof and one on the
14 windshield column in the spotlight position.

15 (cf: P.L.1979, c.71, s.3)

16

17 5. Section 5 of P.L. 1977, c.223 (C.39:3-54.11) is amended to read
18 as follows:

19 5. The Director of Motor Vehicles shall prepare suitable
20 identification cards bearing the signature of the director which, upon
21 the request of the mayor or chief executive officer of any municipality
22 recognizing and being served by a volunteer fire company or a
23 volunteer first aid or rescue squad on a form and in a manner
24 prescribed by the director, shall be forwarded to the mayor or chief
25 executive officer, to be countersigned and issued by the mayor or chief
26 executive officer to the members in good standing of the volunteer fire
27 company or first aid or rescue squad. Identification cards issued
28 pursuant to this section shall be considered permits to display and
29 operate emergency warning lights and electronic horns as provided for
30 in this [act] article and shall apply to any motor vehicle driven by the
31 member of a volunteer fire company or a volunteer first aid or rescue
32 squad. Emergency warning lights and electronic horns shall not be
33 mounted prior to the issuance of the identification cards. Each
34 member of a volunteer fire company or a volunteer first aid or rescue
35 squad must carry the identification card while an emergency warning
36 light or lights and electronic horn are displayed on his vehicle.

37 (cf: P.L.1995, c.37, s.2)

38

39 6. Section 6 of P.L. 1977, c.223 (C.39:3-54.12) is amended to read
40 as follows:

41 6. Nothing contained herein is intended to grant to any member of
42 a volunteer fire company or a volunteer first aid or rescue squad any
43 privileges or exemptions denied to the drivers of other vehicles, and
44 such members displaying emergency warning lights and electronic
45 horns shall drive with due regard for the safety of all persons and shall
46 obey all the traffic laws of this State including R.S.39:4-81, provided,

1 however, that the drivers of non-emergency vehicles upon any highway
2 shall yield the right of way to the vehicle of any member of a volunteer
3 fire company or a volunteer first aid or rescue squad displaying
4 emergency warning lights or an electronic horn in the same manner as
5 is provided for authorized emergency vehicles pursuant to
6 R.S.39:4-92.

7 (cf: P.L.1977, c.223, s.6)

8

9 7. Section 7 of P.L.1977, c.223 (C.39:3-54.13) is amended to read
10 as follows:

11 7. Any person authorized to display emergency warning lights or
12 an electronic horn pursuant to this act who wilfully displays or uses
13 such emergency warning lights or an electronic horn in violation of the
14 provisions of this act shall be liable to a penalty of not more than
15 \$50.00 and his privilege to display such emergency warning lights or
16 an electronic horn may be suspended or revoked by the Director of
17 Motor Vehicles. A person who is not authorized to display emergency
18 warning lights or an electronic horn who wilfully displays or uses such
19 emergency warning lights or an electronic horn shall be liable to a
20 penalty of not more than \$100.00.

21 (cf: P.L.1995, c.37, s.3)

22

23 8. Section 1 of P.L.1985, c.171 (C:39:3-54.15) is amended to read
24 as follows:

25 1. An active chief or first assistant chief of a volunteer fire
26 company, or the chief officer of a first aid squad, recognized by and
27 rendering service in any municipality may display on a motor vehicle
28 owned by him and registered in his name a red emergency warning
29 light or lights, a siren, or both, as prescribed in [this act] P.L.1985,
30 c.171 (C.39:3-54.15 et seq.). The size and type of lights and siren,
31 and the location of their controls, shall be determined by the Director
32 of the Division of Motor Vehicles.

33 (cf: P.L.1985, c.171, s.1)

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35 9. This act shall take effect on the first day of the seventh month
36 after enactment.

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STATEMENT

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41 This bill permits volunteer firefighters and members of first aid and
42 rescue squads to install contemporary light bars and electronic horns
43 on their vehicles. It would amend several sections of Title 39 to
44 enable these volunteers to use blue light bars and "electronic horns"
45 (non-pneumatic, non-wavering electronic audible warning devices) to
46 better alert other motorists and pedestrians of their presence. The bill

1 removes the maximum diameter and candlepower limitations currently
2 in the law.

3 The Director of the Division of Motor Vehicles (DMV) would be
4 responsible for issuing specifications for the equipment. As is now the
5 case with chiefs and first assistant chiefs, volunteers, including the
6 chief officer of a first aid squad, could use the emergency warning
7 lights or horns or both lights and horns. Lamps could be placed, for
8 the first time, on the dashboard. Both the lights and horns could only
9 be operated when the volunteer is answering a fire or emergency call
10 and may not be used to go through red lights.

11 Identification cards prepared by DMV permitting the usage of this
12 equipment would be issued to the volunteers by their mayor or other
13 local chief executive officer. The newly authorized equipment could
14 not be mounted until a volunteer received his identification card.

15 The existing penalty for displays or usage in violation of the act by
16 those authorized to display such equipment is a \$50 fine and
17 suspension or revocation of display privileges. Motorists displaying
18 this equipment who are not so authorized would be fined up to \$100.