

ASSEMBLY, No. 4871

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED OCTOBER 22, 2020

Sponsored by:

Assemblyman KEVIN J. ROONEY

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Authorizes certain county fire coordinators to display emergency warning lights on vehicles.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the display of emergency warning lights on
2 certain vehicles and 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
9 read as follows:

10 1. a. An active member in good standing of any of the
11 following organizations may mount and operate, on a motor vehicle
12 operated by that member, an emergency warning light or lights as
13 provided in P.L.1977, c.223 (C.39:3-54.7 et seq.):

14 (1) a volunteer fire company or a volunteer first aid or rescue
15 squad recognized by and rendering service in any municipality;

16 **[or]**

17 (2) any county or municipal volunteer Office of Emergency
18 Management recognized by and rendering service in any county or
19 municipality, provided the member's official duties include
20 responding to a fire or emergency call; or

21 (3) a county fire coordinator or deputy county fire coordinator,
22 as defined in section 3 of P.L.2003, c.28 (C.52:14E-13).

23 b. The Chief Administrator of the New Jersey Motor Vehicle
24 Commission shall not require the member to specify on which
25 motor vehicles the emergency warning light or lights may be
26 mounted.

27 (cf: P.L.2005, c.218, s.1)

28
29 2. Section 5 of P.L.1977, c.223 (C.39:3-54.11) is amended to
30 read as follows:

31 5. a. (1) The Chief Administrator of the New Jersey Motor
32 Vehicle Commission shall prepare suitable identification cards in a
33 form and manner prescribed by and bearing the signature of the
34 chief administrator which, upon the request of the mayor or chief
35 executive officer of any municipality recognizing and being served
36 by a volunteer fire company or a volunteer first aid or rescue squad
37 **[on a form and in a manner prescribed by the chief administrator]**,
38 shall be forwarded to the mayor or chief executive officer, to be
39 countersigned and issued by the mayor or chief executive officer to
40 the members in good standing of the volunteer fire company or first
41 aid or rescue squad.

42 (2) The Chief Administrator of the New Jersey Motor Vehicle
43 Commission shall prepare suitable identification cards in a form and
44 manner prescribed by and bearing the signature of the chief
45 administrator which, upon the request of the County Executive or

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

Matter underlined thus is new matter.

1 Director of the Board of Chosen Freeholders recognizing and being
2 served by a county fire coordinator or deputy county fire
3 coordinator, shall be forwarded to the County Executive or director,
4 to be countersigned and issued by the County Executive or director
5 to the county or deputy county fire coordinator.

6 b. Identification cards issued pursuant to subsection a. of this
7 section and sections 5 and 6 of P.L.2005, c.34 (C.39:3-54.22 and
8 C.39:3-54.23) shall be considered permits to mount and operate
9 emergency warning lights as provided for in P.L.1977, c.223
10 (C.39:3-54.7 et seq.) and shall apply to any motor vehicle driven by
11 the member of a volunteer fire company, a volunteer first aid or
12 rescue squad [or] , a volunteer Office of Emergency Management,
13 or a county or deputy county fire coordinator. Emergency warning
14 lights shall not be mounted prior to the issuance of the identification
15 cards. Each member of a volunteer fire company, a volunteer first
16 aid or rescue squad [or] , a volunteer Office of Emergency
17 Management [must] , or a county or deputy county fire coordinator
18 shall carry the identification card while an emergency warning light
19 or lights are operated on the vehicle.

20 (cf: P.L.2005, c.218, s.4)

21
22 3. Section 6 of P.L.1977, c.223 (C.39:3-54.12) is amended to
23 read as follows:

24 6. Nothing contained herein is intended to grant to any member
25 of a volunteer fire company, a volunteer first aid or rescue squad
26 [or] , a volunteer Office of Emergency Management , or a county
27 fire coordinator or deputy county fire coordinator any privileges or
28 exemptions denied to the drivers of other vehicles, and [such] the
29 members operating emergency warning lights shall drive with due
30 regard for the safety of all persons and shall obey all the traffic laws
31 of this State including R.S.39:4-81[, provided, however, that the] .
32 The drivers of non-emergency vehicles upon any highway shall
33 yield the right of way to the vehicle of any member of a volunteer
34 fire company, a volunteer first aid or rescue squad [or] , a
35 volunteer Office of Emergency Management , or a county or deputy
36 county fire coordinator operating emergency warning lights in the
37 same manner as is provided for authorized emergency vehicles
38 pursuant to R.S.39:4-92.

39 (cf: P.L.2005, c.218, s.5)

40
41 4. Section 1 of P.L.1985, c.171 (C.39:3-54.15) is amended to
42 read as follows:

43 1. A current chief or first assistant chief of a volunteer fire
44 company, or chief officer of a first aid or rescue squad, recognized
45 by and rendering service in any municipality, or a county fire
46 coordinator or deputy county fire coordinator may mount and
47 operate on a motor vehicle owned by him and registered in his name

1 a red emergency warning light or lights, a siren, or both, as
2 prescribed in P.L.1985, c.171 (C.39:3-54.15 et seq.). The size and
3 type of lights and siren, and the location of their controls, shall be
4 determined by the Chief Administrator of the New Jersey Motor
5 Vehicle Commission.

6 (cf: P.L.2005, c.218, s.7)

7
8 5. Section 2 of P.L.1985, c.171 (C.39:3-54.16) is amended to
9 read as follows:

10 2. All red emergency lights shall be mounted on the exterior of
11 the motor vehicle. No more than two red emergency warning lights
12 shall be installed on a vehicle. If one light is used it shall be
13 installed in the center of the roof of the vehicle, or on the left
14 windshield column in a position where a spotlight is normally
15 located. If two lights are used they may be placed on the
16 windshield columns on each side of the vehicle where spotlights are
17 normally mounted, or on either side of the roof at the front of the
18 vehicle directly back of the top of the windshield. Under no
19 circumstances may one light be placed on the roof and one on a
20 windshield column in the spotlight position. They shall be operated
21 only while the vehicle is being used by the registered owner chief
22 【or】, first assistant chief, or county or deputy county fire
23 coordinator in answering a fire or emergency call.

24 (cf: P.L.1985, c.171, s.2)

25
26 6. Section 3 of P.L.1985, c.171 (C.39:3-54.17) is amended to
27 read as follows:

28 3. All sirens shall be mounted under the hood of the motor
29 vehicle and shall be operated only while the vehicle is being used
30 by the registered owner chief 【or】 , first assistant chief, or county
31 or deputy county fire coordinator in answering a fire or emergency
32 call.

33 (cf: P.L.1985, c.171, s.3)

34
35 7. Section 4 of P.L.1985, c.171 (C.39:3-54.18) is amended to
36 read as follows:

37 4. a. The **【Director of the Division of Motor Vehicles】** Chief
38 Administrator of the New Jersey Motor Vehicle Commission shall
39 prepare suitable identification cards in a form and manner
40 prescribed by and bearing the signature of the **【director】** chief
41 administrator, which, upon the request of the mayor or chief
42 executive officer of any municipality recognizing and being served
43 by a volunteer fire company, **【on a form and in a manner prescribed**
44 **by the director,】** shall be forwarded to the mayor or chief executive
45 officer, to be countersigned and issued by the mayor or chief
46 executive officer to the chief or first assistant chief of the volunteer
47 fire company.

1 Identification cards issued pursuant to this ~~section~~ subsection
2 shall be considered permits to ~~display~~ mount and operate red
3 emergency warning lights, sirens, or both, as provided for in ~~this~~
4 ~~act, and no~~ P.L.1985, c.171 (C.39:3-54.15 et seq.). Red
5 emergency warning lights or sirens shall not be mounted prior to the
6 issuance of the identification cards. Each chief or first assistant
7 chief of a volunteer fire company shall carry the identification card
8 while red emergency warning lights, sirens, or both, are ~~displayed~~
9 ~~on his~~ operated on the vehicle.

10 b. The Chief Administrator of the New Jersey Motor Vehicle
11 Commission shall prepare suitable identification cards in a form and
12 manner prescribed by and bearing the signature of the chief
13 administrator, which, upon the request of the County Executive or
14 Director of the Board of Chosen Freeholders recognizing and being
15 served by a county or deputy county fire coordinator, shall be
16 forwarded to the County Executive or director, to be countersigned
17 and issued by the County Executive or director to the county or
18 deputy county fire coordinator.

19 Identification cards issued pursuant to this subsection shall be
20 considered permits to mount and operate red emergency warning
21 lights, sirens, or both, as provided for in P.L.1985, c.171 (C.39:3-
22 54.15 et seq.). Red emergency warning lights or sirens shall not be
23 mounted prior to the issuance of the identification cards. Each
24 county or deputy county fire coordinator shall carry the
25 identification card while red emergency warning lights, sirens, or
26 both, are operated on the vehicle.

27 (cf: P.L.1985, c.171, s.4)

28
29 8. Section 5 of P.L.1985, c.171 (C.39:3-54.19) is amended to
30 read as follows:

31 5. This act shall not grant to any chief or first assistant chief of
32 a volunteer fire company , or any county or deputy county fire
33 coordinator, any privileges or exemptions denied to the drivers of
34 other vehicles, and persons displaying red emergency warning
35 lights, sirens, or both, shall drive with due regard for the safety of
36 all persons and shall obey the traffic laws of this State; but drivers
37 of nonemergency vehicles upon any highway shall yield the right of
38 way to the vehicle of any chief or first assistant chief of a volunteer
39 fire company and any county or deputy county fire coordinator
40 displaying red emergency warning lights, sirens, or both, in the
41 same manner as is provided for authorized emergency vehicles
42 pursuant to R.S.39:4-92.

43 (cf: P.L.1985, c.171, s.5)

44
45 9. This act shall take effect immediately.

STATEMENT

This bill authorizes county fire coordinators and deputy county fire coordinators, as defined in section 3 of P.L.2003, c.28 (C.52:14E-13), to operate and display emergency warning lights, including red emergency warning lights and sirens.

Under current law, blue emergency warning lights may be operated by a volunteer fire company or a volunteer first aid or rescue squad or by a county or municipal volunteer Office of Emergency Management whose official duties include responding to a fire or emergency call, provided the company or volunteer is recognized by and rendering service by a county or municipality. Red emergency warning lights may be operated by a chief or first assistant chief of a volunteer fire company. This bill authorizes county and deputy county fire coordinators to operate these emergency warning lights if certain conditions are met.

In order for a county or deputy county fire coordinator to mount and operate any emergency warning light, regardless of its color, the bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission to prepare suitable identification cards bearing the chief administrator's signature upon the request of the County Executive or Director of the Board of Chosen Freeholders recognizing and being served by a county or deputy county fire coordinator. The identification cards would be countersigned and issued by the County Executive or director to the county or deputy county fire coordinator. No emergency warning lights could be mounted prior to the issuance of the identification cards, and a county or deputy county fire coordinator would need to carry the identification card while any emergency warning light operates on the vehicle. These identification requirements are identical to those imposed under existing law for other authorized drivers operating emergency warning lights.

Nothing in current law or this bill grants a county fire coordinator or deputy county fire coordinator any privileges or exemptions denied to the drivers of other vehicles, and the driver operating emergency warning lights is to drive with due regard for the safety of all persons and obey all State traffic laws.