

ASSEMBLY, No. 2096

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1996

By Assemblymen ROCCO and GARCIA

1 AN ACT concerning certain emergency warning lights, and amending  
2 and supplementing P.L.1977, c.223.

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

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

9 5. The Director of Motor Vehicles shall prepare suitable  
10 identification cards bearing the signature of the director which, upon  
11 the request of the mayor or chief executive officer of any municipality  
12 recognizing and being served by a volunteer fire company or a  
13 volunteer first aid or rescue squad on a form and in a manner  
14 prescribed by the director, shall be forwarded to the mayor or chief  
15 executive officer, to be countersigned and issued by the mayor or chief  
16 executive officer to the members in good standing of the volunteer fire  
17 company or first aid or rescue squad. The mayor or chief executive  
18 officer shall forward a copy of each issued identification card to the  
19 local police department, which shall maintain the copies on file.  
20 Identification cards issued pursuant to this section shall be considered  
21 permits to display and operate emergency warning lights as provided  
22 for in this act and shall apply to any motor vehicle driven by the  
23 member of a volunteer fire company or a volunteer first aid or rescue  
24 squad. Emergency warning lights shall not be mounted prior to the  
25 issuance of the identification cards. Each member of a volunteer fire  
26 company or a volunteer first aid or rescue squad must carry the  
27 identification card while an emergency warning light or lights are  
28 displayed on his vehicle. When the volunteer member is no longer  
29 active in the fire company or on the first aid or rescue squad, the  
30 member shall disable any emergency warning lights in the member's  
31 possession. The member shall also surrender the identification card to  
32 the local police department, and, upon its surrender, certify that no  
33 further use will be made of the emergency warning lights in the

**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 member's possession.

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

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

6 7. Any person authorized to display emergency warning lights  
7 pursuant to this act who wilfully displays or uses such emergency  
8 warning lights in violation of the provisions of this act [shall be liable  
9 to a penalty of not more than \$50.00] is guilty of a disorderly persons  
10 offense and his privilege to display such emergency warning lights may  
11 be suspended or revoked by the Director of Motor Vehicles. Any  
12 person who is not authorized to display emergency warning lights who  
13 wilfully displays or uses such emergency warning lights [shall be liable  
14 to a penalty of not more than \$100.00] is guilty of a disorderly persons  
15 offense.

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

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18 3. (New section) a. A person shall not sell, give or lend an  
19 emergency warning light as defined in section 3 of P.L.1977, c.223  
20 (C.39:3-54.9) unless the person purchasing, receiving or borrowing it  
21 is a volunteer member of a fire company or first aid or rescue squad  
22 who presents an identification card permitting its use issued pursuant  
23 to section 5 of P.L.1977, c.223 (C.39:3-54.11). The person who sells,  
24 gives or lends the light shall maintain a copy of the identification card.

25 b. A person shall not purchase, receive or borrow or attempt to  
26 purchase, receive or borrow an emergency warning light as defined in  
27 section 3 of P.L.1977, c. 223 (C.39:3-54.9) unless that person is a  
28 volunteer member of a fire company or first aid or rescue squad and  
29 presents an identification card permitting its use issued pursuant to  
30 section 5 of P.L.1977, c.223 (C.39:3-54.11).

31 c. A person who violates this section is a disorderly person.

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33 4. This act shall take effect on the first day of the third month  
34 following enactment.

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#### STATEMENT

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39 Under the law, members of volunteer fire companies or first aid or  
40 rescue squads are permitted to display flashing blue lights on their  
41 personal vehicles while responding to a fire or emergency. This bill  
42 increases the penalties for the unauthorized use of these lights and for  
43 their use by persons who are not bona fide volunteers. It also creates  
44 a new penalty for the sale of these lights to persons not permitted by  
45 law to use them.

46 The bill would require the mayor of a municipality that issues

1 identification cards allowing the use of these warning lights to forward  
2 copies of the cards to the police department to be kept on file. Also,  
3 a volunteer who becomes inactive would be required to disable any  
4 emergency light in his or her possession, surrender the identification  
5 card to the police, and certify that the light has been disabled and will  
6 not be used.

7 The bill upgrades the penalty for the unauthorized use of a light to  
8 a disorderly persons offense, which entails a fine of up to \$1,000,  
9 imprisonment for up to six months, or both. The existing penalty is a  
10 fine of up to \$50 and possible loss of the privilege to use emergency  
11 warning lights. The bill also upgrades from a fine of not more than  
12 \$100 to a disorderly persons offense the penalty for the display of an  
13 emergency warning light by a person not permitted to display it.

14 The bill also makes it a disorderly persons offense to: (1) sell, give  
15 or lend an emergency warning light without proof that the person  
16 seeking to obtain the light is authorized by law to display it; and (2) to  
17 obtain or seek to obtain an emergency warning light by a person not  
18 authorized by law to display it.

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23 Tightens requirements regarding use of blue warning lights by certain  
24 volunteers.