

House Bill 3393

Sponsored by Representative KENNEMER; Representatives GILLIAM, HUFFMAN, THATCHER, VANORMAN, WEIDNER, WITT, Senators BATES, HASS, MORRISETTE (at the request of DB Security Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Permits private security professional to use warning lights on vehicle when responding to alarm or emergency call and private security professional has contacted police officer.

Permits private security professional to use more than one spotlight on vehicle when responding to alarm or emergency call.

A BILL FOR AN ACT

1 Relating to vehicle equipment; amending ORS 811.515, 811.525, 816.280 and 816.350.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1.** ORS 811.515 is amended to read:

4 811.515. This section establishes requirements for ORS 811.520. Except where an exemption un-
5 der ORS 811.525 specifically provides otherwise, a vehicle that does not comply with this section is
6 in violation of ORS 811.520. Where specific types of lighting equipment are mentioned in this section,
7 those types are types described in ORS 816.040 to 816.290. The requirements under this section are
8 as follows:
9

10 (1) Subject to any other provision of this section, any lighting equipment a vehicle is required
11 to be equipped with under ORS 816.040 to 816.290 must be displayed when the vehicle is upon a
12 highway within this state at any time limited visibility conditions exist. The provisions of this sub-
13 section apply during the times stated when the required visibility is measured on a straight, level
14 unlighted highway.

15 (2) Parking lights and lights other than clearance, identification and marker lights that are
16 mounted on the front of a vehicle and are designed to be displayed primarily when the vehicle is
17 parked shall not be lighted when a vehicle is driven upon a highway at times when limited visibility
18 conditions exist except when:

19 (a) The lights are being used as turn signals; or

20 (b) The headlights are also lighted at the same time.

21 (3) Any vehicle parked or stopped upon a roadway or shoulder adjacent thereto, whether at-
22 tended or unattended, during times when limited visibility conditions exist must display parking
23 lights.

24 (4) All vehicles not specifically required by ORS 816.320 to be equipped with lighting equipment
25 shall at times when limited visibility conditions exist display exempt-vehicle safety lighting equip-
26 ment. This section includes, but is not limited to, animal drawn vehicles and vehicles exempted from
27 required lighting equipment under ORS 816.340.

28 (5) Tow vehicle warning lights on tow vehicles shall be activated when the tow vehicles are
29 engaged in connecting with other vehicles and drawing such vehicles onto highways or while ser-
30 vicing disabled vehicles.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (6) When limited visibility conditions exist a person shall use a distribution of light or composite
 2 beam that is directed sufficiently high and that is of such intensity so as to reveal persons and ve-
 3 hicles on the highway at a safe distance in advance of the vehicle. A person violates this subsection
 4 if the person does not comply with the following:

5 (a) Whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, the driver
 6 must use a distribution of light or composite beam so aimed that the glaring rays are not projected
 7 into the eyes of the oncoming driver. The use of the low beams of the vehicle headlight system is
 8 in compliance with this paragraph at all times regardless of road contour and loading of the vehicle.

9 (b) Except when in the act of overtaking or passing, a driver of a vehicle following another ve-
 10 hicle within 350 feet to the rear must use the low beams of the vehicle headlight system.

11 (7) When a vehicle is upon a highway a person shall light not more than a total of four lights
 12 at any one time that are mounted on the front of a vehicle and that each projects a beam of inten-
 13 sity greater than 300 candlepower.

14 (8)(a) A light, other than a headlight, that projects a beam of light of an intensity greater than
 15 300 candlepower shall not be operated on a vehicle:

16 (A) Unless the beam is so directed that no part of the high intensity portion of the beam will
 17 strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from
 18 the vehicle; or

19 (B) Except as provided in paragraph (b) of this subsection, when use of the low beams of the
 20 vehicle headlight system is required under subsection (6) of this section.

21 (b) Notwithstanding paragraph (a)(B) of this subsection, a light, other than a headlight, may be
 22 lighted on a motorcycle provided that the intensity of the light does not exceed the intensity of the
 23 low beams of the headlight system. A motorcycle may not be operated with more than two lights,
 24 other than headlights, under this paragraph.

25 (9) A spotlight shall not be lighted upon approaching another vehicle unless the spotlight is so
 26 aimed and used so that no part of the high-intensity portion of the beam will be directed to the left
 27 of the prolongation of the extreme left side of the vehicle upon which it is mounted, more than 100
 28 feet ahead of the vehicle.

29 (10) Auxiliary lights mounted higher than 54 inches shall not be lighted when the vehicle is used
 30 on a highway.

31 (11) A back-up light shall not be lighted when the vehicle is in forward motion.

32 (12) Bus safety lights shall *[only]* be operated **only** in accordance with the following:

33 (a) The lights may be operated when the vehicle is stopping or has stopped for the purpose of
 34 loading or unloading students who are going to or from any school or authorized school activity or
 35 function.

36 (b) The lights may be operated when the vehicle is stopping or has stopped for the purpose of
 37 loading or unloading workers from worker transport buses.

38 (c) The lights may be operated when the vehicle is stopping or has stopped for the purpose of
 39 loading or unloading children being transported to or from religious services or an activity or
 40 function authorized by a religious organization.

41 (d) The lights may be operated when the vehicle is stopping or has stopped in a place that ob-
 42 structs other drivers' ability to see the bus safety lights on another vehicle.

43 (e) Notwithstanding any other paragraph of this subsection, the lights shall not be operated if
 44 the vehicle is stopping or has stopped at an intersection where traffic is controlled by electrical
 45 traffic control signals, other than flashing signals, or by a police officer.

1 (f) Notwithstanding any other paragraph of this subsection, the lights shall not be operated if
2 the vehicle is stopping or has stopped at a loading or unloading area where the vehicle is completely
3 off the roadway.

4 (13)(a) Hazard lights shall be used for the purpose of warning the operators of other vehicles
5 of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching,
6 overtaking or passing.

7 (b) Hazard lights shall be used by the first and last vehicles in a funeral procession.

8 (14) Mail delivery lights may be used only while in active service transporting United States
9 mail for the purpose of warning other vehicle operators of the vehicle's presence and to exercise
10 caution in approaching, overtaking or passing. A vehicle with mail delivery lights is in compliance
11 with this subsection if the lights are flashed continuously while the vehicle is in motion in active
12 service transporting mail or if the lights are actuated by application of the service brake while the
13 vehicle is parked.

14 (15) A pilot vehicle warning light may be activated only when the vehicle equipped with the
15 light is an escort accompanying a motor vehicle carrying or towing a load of a size or description
16 not permitted under ORS 818.020, 818.060, 818.090 or 818.160.

17 (16) Fire company warning lights authorized under a permit granted under ORS 818.250 may be
18 used by the persons authorized under the permit while being driven to a fire station or fire location
19 in response to a fire alarm. Fire company warning lights authorized under ORS 811.800 may be used
20 by funeral escort vehicle or funeral lead vehicle drivers while driving in a funeral procession. The
21 lights shall be covered or otherwise concealed when not being displayed as provided in this sub-
22 section.

23 (17) Any lighted headlights upon a parked vehicle shall be dimmed.

24 (18) Commercial vehicle warning lights may be used only:

25 (a) To warn operators of other vehicles of the presence of a traffic hazard requiring the exercise
26 of unusual care in approaching, overtaking or passing the commercial vehicle; and

27 (b) When the commercial vehicle is being used for commercial purposes and the vehicle is:

28 (A) Stopped, parked or left standing at a commercial or work site; or

29 (B) In a highway work zone as defined in ORS 811.230.

30 **(19) Warning lights may be used on a vehicle operated by a private security professional,**
31 **certified or licensed under ORS 181.878, when the private security professional is responding**
32 **to an alarm or emergency call and has contacted a police officer.**

33 **SECTION 2.** ORS 811.525 is amended to read:

34 811.525. This section establishes exemptions from ORS 811.515 and 811.520. The exemptions un-
35 der this section are in addition to any exemptions under ORS 801.026. The exemptions established
36 under this section are partial or complete as described in the following:

37 (1) ORS 811.515 and 811.520 shall not be construed to prohibit the use of additional parts and
38 accessories on any vehicle not inconsistent with the provisions of those sections.

39 (2) Except for the provisions relating to exempt-vehicle safety lighting equipment, ORS 811.515
40 and 811.520 do not apply to any of the following:

41 (a) Road machinery.

42 (b) Road rollers.

43 (c) Farm tractors.

44 (d) Antique motor vehicles that are maintained as a collector's item and used for exhibitions,
45 parades, club activities and similar uses, but not used primarily for the transportation of persons

1 or property.

2 (3) Whenever motor and other vehicles are operated in combination during the time that lights
 3 are required, any lighting equipment, except the taillight, which by reason of its location on a ve-
 4 hicle of the combination would be obscured by another vehicle of the combination, need not be
 5 lighted. This subsection shall not affect the requirement that lighted clearance lights be displayed
 6 on the front of the foremost vehicle required to have clearance lights nor the requirement that all
 7 lights on the rear of the rearmost vehicle of the combination be lighted.

8 (4) Lighting equipment on bicycles shall be lighted as required under ORS 815.280.

9 (5) Parked or stopped vehicles are not required to display parking lights if the road authority
 10 for the highway provides by ordinance or resolution that no lights need be displayed upon a vehicle
 11 parked on the highway in accordance with legal parking regulations where there is sufficient light
 12 to render clearly discernible any person or object within a distance of 500 feet from the highway.

13 (6) Nothing under ORS 811.515 and 811.520 limits the ability to use the following lights with any
 14 other lights during the day or at night:

15 (a) Public vehicle warning lights.

16 (b) Pilot vehicle warning lights.

17 (c) Tow vehicle warning lights.

18 (d) Police lights.

19 (e) Warning lights on vehicles at the scene of an actual or potential release of hazardous ma-
 20 terials, as described in ORS 816.280.

21 (f) Warning lights on vehicles being used by medical examiners to reach the scene of an accident
 22 or of a death investigation, as described in ORS 816.280.

23 (g) Commercial vehicle warning lights.

24 **(h) Warning lights on vehicles operated by private security professionals, certified or li-
 25 censed under ORS 181.878, when the private security professional is responding to an alarm
 26 or emergency call and has contacted a police officer.**

27 (7) Requirements for use of motorcycle and moped headlights are under ORS 814.320.

28 (8) Requirements for lighting equipment for an electric personal assistive mobility device are
 29 under ORS 815.284.

30 **SECTION 3.** ORS 816.280 is amended to read:

31 816.280. This section establishes standards for different types of warning lights. Each of the
 32 following is a requirement for warning lights as described:

33 (1) The following are the colors for the indicated type of warning light:

34 (a) Public vehicle warning lights, pilot vehicle warning lights and commercial vehicle warning
 35 lights shall be amber.

36 (b) Tow vehicle warning lights may be amber or red.

37 (c) Weighmaster and motor carrier enforcement officer warning lights shall be red.

38 (d) Warning lights on vehicles engaged in the removal, containment or cleanup of a hazardous
 39 materials release, and on vehicles at the scene of a potential release of hazardous materials, may
 40 be red or amber.

41 (e) Warning lights on vehicles being used by medical examiners to reach the scene of an acci-
 42 dent or of a death investigation may be red.

43 **(f) Warning lights on vehicles operated by private security professionals, certified or li-
 44 censed under ORS 181.878, when the private security professional is responding to an alarm
 45 or emergency call and has contacted a police officer, may be red or amber.**

1 (2) Warning lights shall provide an intermittent light that may be either of a revolving or
2 flashing type or any other type that provides an intermittent light.

3 (3) All warning lights shall be visible from a distance of not less than 500 feet under normal
4 atmospheric conditions at night.

5 **SECTION 4.** ORS 816.350 is amended to read:

6 816.350. This section establishes requirements for ORS 816.360. When specific types of lighting
7 equipment are mentioned by this section, those types are types described under ORS 816.040 to
8 816.290. Except as allowed under this section or where an exemption under ORS 816.370 specifically
9 provides otherwise, a vehicle that does not comply with this section is in violation of ORS 816.360:

10 (1)(a) A motorcycle may not be equipped with more than three headlights.

11 (b) A moped may not be equipped with more than two headlights.

12 (2) Except when blue or purple inserts are allowed under ORS 816.080, 816.100 or 816.120, no
13 vehicle may have any lighting equipment mounted on the rear that displays or reflects any color
14 other than red except for the following lighting equipment:

15 (a) Turn signal lights.

16 (b) Rear mounted lighting systems.

17 (c) Registration plate lights.

18 (d) Back-up lights.

19 (3) Except as otherwise allowed under this section, only the following types of vehicles may be
20 equipped with public vehicle warning lights:

21 (a) A vehicle operated by the state, or any county, city, district or other political subdivision
22 of the state, and used for the construction, improvement, repair, maintenance, operation or patrol
23 of any public highway.

24 (b) Vehicles operated by a public utility or telecommunications utility involved in maintenance,
25 repair or construction of their facilities along public rights of way.

26 (4) Vehicles operated by a police officer and used for law enforcement may be equipped with any
27 type of police lights, but only these vehicles may be equipped with blue lights.

28 (5) Except as otherwise allowed under this section, only a vehicle operated by a weighmaster
29 or motor carrier enforcement officer proceeding under the authority of ORS 810.530 may be equipped
30 with weighmaster warning lights.

31 (6) Except as otherwise allowed under this section, only tow vehicles may be equipped with tow
32 vehicle warning lights.

33 (7) Except as otherwise allowed under this section, only a motor vehicle escort accompanying
34 a motor vehicle carrying or towing a load of a size or description not permitted under ORS 815.160,
35 815.170, 818.020, 818.060, 818.090, 818.110, 818.160 and 818.300 may be equipped with a pilot vehicle
36 warning light.

37 (8) Except as otherwise allowed under this section, only the following vehicles may be equipped
38 with bus safety lights:

39 (a) School buses.

40 (b) Worker transport buses.

41 (c) Vehicles issued a permit under ORS 818.260.

42 (9) No vehicle except a vehicle used in active service transporting United States Mail may be
43 equipped with mail delivery lights.

44 (10) Except as otherwise allowed under this section, fire company warning lights may only be
45 used on the following vehicles:

- 1 (a) An emergency vehicle.
- 2 (b) A vehicle authorized under a permit issued under ORS 818.250.
- 3 (c) Funeral lead vehicles and funeral escort vehicles used to escort funeral processions.
- 4 (11) Except as otherwise allowed under this section, no vehicle or equipment may display or
- 5 carry any lighting equipment or device with a red light visible from directly in front of the vehicle
- 6 or equipment.
- 7 (12) Except as otherwise allowed under this section, all flashing lights are prohibited on all
- 8 motor vehicles on any street or highway except for turn signals, hazard lights and headlight flashing
- 9 systems described in ORS 816.050.
- 10 (13) No motor vehicle other than an emergency vehicle **or a vehicle operated by a private**
- 11 **security professional, certified or licensed under ORS 181.878, when a private security pro-**
- 12 **fessional is responding to an alarm or emergency call and has contacted a police officer,** may
- 13 be equipped with more than one spotlight.
- 14 (14) No motor vehicle may be equipped with more than two cowl or fender lights.
- 15 (15) A vehicle at the scene of an actual or potential release of hazardous materials may be
- 16 equipped with warning lights as described in ORS 816.280 (1)(d).
- 17 (16) A vehicle being used by medical examiners to reach the scene of an accident or of a death
- 18 investigation may be equipped with warning lights as described in ORS 816.280 (1)(e).
- 19 (17) A vehicle may be equipped with covers on any of the following lights if the covers are re-
- 20 moved when the lights are required to be in operation:
- 21 (a) Headlights under ORS 816.050.
- 22 (b) Taillights under ORS 816.080.
- 23 (c) Brake lights under ORS 816.100.
- 24 (d) Turn signals under ORS 816.120.
- 25 (e) Reflectors under ORS 816.180.
- 26 (18) A commercial vehicle, as defined in ORS 801.210 (2), may be equipped with commercial ve-
- 27 hicle warning lights.
- 28 (19) **A vehicle operated by a private security professional, certified or licensed under ORS**
- 29 **181.878, when a private security professional is responding to an alarm or emergency call and**
- 30 **has contacted a police officer, may be equipped with warning lights.**

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