

# House Bill 2920

Sponsored by Representatives BOONE, OLSON

## 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**.

Prohibits use of blue lights on private vehicles authorized to use fire company warning lights.  
Allows persons authorized to use fire company warning lights to leave lights running while responding to emergency or on scene of emergency.

## A BILL FOR AN ACT

1  
2 Relating to fire company warning lights; amending ORS 811.515, 811.520, 816.285 and 818.250.

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

4 **SECTION 1.** ORS 816.285 is amended to read:

5 816.285. Each of the following is authorized for fire department warning lights:

6 (1) Fire department vehicle warning lights may be red or a combination of red and white.

7 (2) Fire department vehicles may use an approved headlight flashing system as authorized by  
8 ORS 816.050.

9 (3) Fire department vehicles may have a forward facing flashing white light for the purpose of  
10 operating a traffic signal preemption device.

11 (4) Fire department vehicles may show a flashing or revolving green light when operating as the  
12 command post in emergency incidents.

13 (5) Fire department emergency response vehicle lights may be any color allowed for police lights  
14 under ORS 816.250, **except that a private vehicle issued written authorization to use fire**  
15 **company warning lights under ORS 818.250 may not use blue lights.**

16 **SECTION 2.** ORS 811.515 is amended to read:

17 811.515. This section establishes requirements for ORS 811.520. Except where an exemption un-  
18 der ORS 811.525 specifically provides otherwise, a vehicle that does not comply with this section is  
19 in violation of ORS 811.520. Where specific types of lighting equipment are mentioned in this section,  
20 those types are types described in ORS 816.040 to 816.290. The requirements under this section are  
21 as follows:

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

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

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

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

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

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

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

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

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

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

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

25 (8)(a) A light, other than a headlight, that projects a beam of light of an intensity greater than  
 26 300 candlepower shall not be operated on a vehicle:

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

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

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

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

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

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

43 (12) Bus safety lights shall only be operated in accordance with the following:

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

1 function.

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

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

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

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

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

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

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

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

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

28 (16) Fire company warning lights authorized under a permit granted under ORS 818.250 may be  
29 used by the persons authorized under the permit while:

30 (a) *[Being driven] Driving* to a fire station *[or fire location in response to a fire alarm.]*;

31 (b) **Responding to an emergency; or**

32 (c) **On scene of an emergency.**

33 (17) Fire company warning lights authorized under ORS 811.800 may be used by funeral escort  
34 vehicle or funeral lead vehicle drivers while driving in a funeral procession. The lights shall be  
35 covered or otherwise concealed when not being displayed as provided in this subsection.

36 *[(17)]* (18) Any lighted headlights upon a parked vehicle shall be dimmed.

37 *[(18)]* (19) Commercial vehicle warning lights may be used only:

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

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

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

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

43 **SECTION 3.** ORS 818.250 is amended to read:

44 818.250. (1) The governing body of a rural fire protection district or of a municipal fire depart-  
45 ment may issue written authorization for the use of fire company warning lights on vehicles that

1 are used while:

2 (a) Driving to a fire station [*or fire location in response to a fire alarm.*];

3 (b) **Responding to an emergency; or**

4 (c) **On scene of an emergency.**

5 (2) Written authorization issued under this section shall comply with all of the following:

6 [(1)] (a) Written authorization may be issued only to authorize use of the warning lights on any  
7 vehicle, whether publicly or privately owned, if used by:

8 [(a)] (A) A fire chief, assistant fire chief or volunteer firefighter selected by the board of direc-  
9 tors of a rural fire protection district organized under ORS chapter 478; or

10 [(b)] (B) Any person authorized to serve as fire chief, assistant fire chief or volunteer firefighter  
11 by the governing body of any municipal fire department.

12 [(2)] (b) Any lights authorized under this section must be and remain the property of the rural  
13 fire protection district or municipality involved.

14 **SECTION 4.** ORS 811.520 is amended to read:

15 811.520. (1) A person commits the offense of unlawful use or failure to use lights if the person  
16 does any of the following:

17 (a) Drives or moves on any highway any vehicle at a time when vehicle lighting is required to  
18 be operated or is prohibited from being operated under ORS 811.515 and operates or fails to operate  
19 lighting equipment as required under ORS 811.515.

20 (b) Owns a vehicle or combination of vehicles and causes or knowingly permits the vehicle or  
21 combination of vehicles to be driven or moved on any highway at a time when ORS 811.515 requires  
22 or prohibits the operation of vehicle lighting equipment without compliance with the requirements  
23 under ORS 811.515.

24 (c) Drives any vehicle in a funeral procession without using the low beam headlights.

25 (2) The application of this section is subject to the exemptions from this section established  
26 under ORS 811.525.

27 (3) The offense described in this section, unlawful use of or failure to use lights, is a Class B  
28 traffic violation, except that violation of ORS 811.515 (3), (4), (13) or [(17)] (18) or subsection (1)(c)  
29 of this section is a Class D traffic violation.

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