

39:3-54.7

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 218

NJSA: 39:3-54.7 (Permits certain lights on vehicles of members of volunteer emergency services)

BILL NO: A2998 (Substituted for S1770/2535)

SPONSOR(S): Scalera and Van Drew

DATE INTRODUCED: June 7, 2004

COMMITTEE: **ASSEMBLY:** Law and Public Safety
SENATE: Transportation

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 30, 2005

SENATE: June 27, 2005

DATE OF APPROVAL: September 7, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Assembly Substitute (2R) for A2998 enacted)

A2998

[SPONSOR'S STATEMENT](#): (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: [Yes](#)

[FLOOR AMENDMENT STATEMENT](#): [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

S1770/2535

[SPONSOR'S STATEMENT \(S1770\)](#): (Begins on page 4 of original bill) [Yes](#)

[SPONSOR'S STATEMENT \(S2535\)](#): (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

[FLOOR AMENDMENT STATEMENT](#): [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

[GOVERNOR'S PRESS RELEASE ON SIGNING](#): [Yes](#)

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

IS 10/29/07

P.L. 2005, CHAPTER 218, *approved September 7, 2005*
Assembly Substitute (*Second Reprint*) for
Assembly, No. 2998

1 AN ACT concerning emergency warning lights of ¹a member of a
2 volunteer¹ fire ¹company, a volunteer¹ first aid or rescue squad
3 ¹[volunteers] or a volunteer Office of Emergency Management¹
4 and amending P.L.1977, c.223 and P.L.1985, c.171.

5

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

8

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

11 1. ¹a.¹ An active member in good standing of ¹[a volunteer fire
12 company or a volunteer first aid or rescue squad recognized by and
13 rendering service in any municipality may [display] mount and operate
14 on any motor vehicle driven by [him] the member an emergency
15 warning light or lights as provided in[this act] P.L.1977, c.223
16 (C.39:3-54.7 et seq.)] any of the following organizations may mount
17 and operate, on a motor vehicle operated by that member, an
18 emergency warning light or lights as provided in P.L.1977, c.223
19 (C.39:3-54.7 et seq.):

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

22 (2) any county or municipal volunteer Office of Emergency
23 Management recognized by and rendering service in any county or
24 municipality, provided the member's official duties include responding
25 to a fire or emergency call¹.

26 ¹b.¹ The [Director of Motor Vehicles] Chief Administrator of the
27 New Jersey Motor Vehicle Commission shall not require the member
28 to specify on which motor vehicles the emergency warning light or
29 lights may be mounted.

30 (cf: P.L.2005, c.34, s.2)

31

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

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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate STR committee amendments adopted May 19, 2005.

² Senate floor amendments adopted June 20, 2005.

1 the light bar type, in accordance with the specifications prescribed by
2 the chief administrator ² [¹ provided that the governing body of the
3 municipality in which the vehicle is registered approves by resolution
4 the light bar on such vehicles¹]².

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

6
7 3. Section 4 of P.L.1977, c.223 (C.39:3-54.10) is amended to read
8 as follows:

9 No more than two emergency warning lights shall be installed on
10 a vehicle. If one light is used it shall be installed in the center of the
11 roof of the car[, or on the left windshield column in a position where
12 a spotlight is normally located], or on the front of the vehicle so that
13 the top of the emergency warning light is no higher than the top of the
14 vehicle's headlights, or in the center of the dashboard. It may be a low
15 profile light bar of the strobe, halogen or incandescent type, or a
16 combination thereof. If two lights are used they may be placed on the
17 windshield columns on each side of the vehicle where spotlights are
18 normally mounted, or on either side of the roof at the front of the
19 vehicle directly back of the top of the windshield. Under no
20 circumstances may one light be placed on the roof and one on the
21 windshield column in the spotlight position. Light elements shall be
22 shielded from direct sight or view of the driver.

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

24
25 4. Section 5 of P.L.1977, c.223 (C.39:3-54.11) is amended to read
26 as follows:

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

38 ¹b.¹ Identification cards issued pursuant to this section ¹and
39 sections 5 and 6 of P.L.2005, c.34 (C.39:3-54.22 and C.39:3-54.23)¹
40 shall be considered permits to [display] mount and operate emergency
41 warning lights as provided for in [this act] P.L.1977, c.223 (C.39:3-
42 54.7 et seq.) and shall apply to any motor vehicle driven by the
43 member of a volunteer fire company ¹[or] ¹, ¹a volunteer first aid or
44 rescue squad ¹or a volunteer Office of Emergency Management¹.
45 Emergency warning lights shall not be mounted prior to the issuance

1 of the identification cards. Each member of a volunteer fire company
2 ¹[or] ¹a volunteer first aid or rescue squad ¹or a volunteer Office of
3 Emergency Management¹ must carry the identification card while an
4 emergency warning light or lights are ~~[displayed]~~ operated on ~~[his]~~
5 the vehicle.

6 (cf: P.L.2005, c.34, s.3)

7

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

10 6. Nothing contained herein is intended to grant to any member of
11 a volunteer fire company ¹[or] ¹a volunteer first aid or rescue squad
12 ¹or a volunteer Office of Emergency Management¹ any privileges or
13 exemptions denied to the drivers of other vehicles, and such members
14 ~~[displaying]~~ operating emergency warning lights shall drive with due
15 regard for the safety of all persons and shall obey all the traffic laws
16 of this State including R.S.39:4-81, provided, however, that the
17 drivers of non-emergency vehicles upon any highway shall yield the
18 right of way to the vehicle of any member of a volunteer fire company
19 ¹[or] ¹a volunteer first aid or rescue squad ¹or a volunteer Office of
20 Emergency Management¹ ~~[displaying]~~ operating emergency warning
21 lights in the same manner as is provided for authorized emergency
22 vehicles pursuant to R.S.39:4-92.

23 (cf: P.L. 2005, c.34, s.4)

24

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

27 7. Any person authorized to ~~[display]~~ operate emergency warning
28 lights pursuant to ~~[this act]~~ P.L.1977, c.223 (C.39:3-54.7 et seq.)
29 who wilfully ~~[displays or uses]~~ operates such emergency warning
30 lights in violation of the provisions of ~~[this act]~~ P.L.1977, c.223
31 (C.39:3-54.7 et seq.) shall be liable to a penalty of not more than
32 ~~[\$50.00]~~ 100 and ~~[his]~~ the person's privilege to ~~[display]~~ operate
33 such emergency warning lights may be suspended or revoked by the
34 ~~[Director of Motor Vehicles]~~ Chief Administrator of the New Jersey
35 Motor Vehicle Commission. A person who is not authorized to
36 ~~[display]~~ operate emergency warning lights who wilfully ~~[displays or~~
37 ~~uses]~~ operates such emergency warning lights shall be liable to a
38 penalty of not more than ~~[\$100.00]~~ 200.

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

40

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

43 1. ~~[An active]~~ A current chief or first assistant chief of a
44 volunteer fire company, or chief officer of a first aid or rescue squad,
45 recognized by and rendering service in any municipality may ~~[display]~~

1 mount and operate on a motor vehicle owned by him and registered in
2 his name a red emergency warning light or lights, a siren, or both, as
3 prescribed in [this act] P.L.1985, c.171 (C.39:3-54.15 et seq.). The
4 size and type of lights and siren, and the location of their controls,
5 shall be determined by the [Director of the Division of Motor
6 Vehicles] Chief Administrator of the New Jersey Motor Vehicle
7 Commission.

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

9

10 8. This act shall take effect on the first day of the seventh month
11 after enactment.

12

13

14

15

16 _____
17 Permits certain lights on vehicles of members of volunteer emergency
services.

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)

34

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

37

38

39

STATEMENT

40

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.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2998

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 2005

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 2998.

Assembly Bill No. 2998, as amended and reported by the committee, permits volunteer firefighters and members of first aid and rescue squads to install contemporary light bars on their vehicles. It amends several sections of Title 39 (the motor vehicle code) to enable these volunteers to use blue light bars to better alert other motorists and pedestrians of their presence. The bill removes the maximum diameter and candlepower limitations currently in the law.

The Chief Administrator of the New Jersey Motor Vehicle Commission (MVC) would be responsible for issuing specifications for the equipment. As is now the case with chiefs and first assistant chiefs, volunteers, including the chief officer of a first aid squad, could use the emergency warning lights. Lamps could be placed, for the first time, on the dashboard. The lights could only be operated when the volunteer is answering a fire or emergency call and may not be used to go through red lights.

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

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

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- 1) change terminology from Division of Motor Vehicles to Motor Vehicle Commission; and
- 2) remove provisions permitting volunteers to install electronic horns on their vehicles.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY SUBSTITUTE FOR **ASSEMBLY, No. 2998**

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 19, 2005

The Senate Transportation Committee reports favorably and with amendments Assembly Substitute for Assembly Bill No. 2998.

This amended bill amends the law governing the operation of emergency warning lights by volunteer firefighters and members of first aid and rescue squads and volunteer Offices of Emergency Management.

Specifically, the bill:

1) authorizes the use of contemporary blue light bars with municipal consent, in addition to the currently authorized flashing or revolving blue lights, as prescribed by the Chief Administrator of the New Jersey Motor Vehicle Commission;

2) removes the maximum diameter and candlepower limitations currently in the law;

3) allows the emergency lights or light bars to be placed on the dashboard. The light bars are only permitted if the municipality in which the vehicle is registered approves the placement of light bars on such vehicles by resolution;

4) requires the light elements to be shielded from the driver's view;

5) clarifies that these provisions pertain to "mounting" and "operating" emergency warning lights rather than "displaying" these lights;

6) clarifies that volunteers operating these lights are required to observe traffic signals, such as red lights;

7) increases the fines imposed on persons authorized to operate emergency lights who violate these provisions from \$50 to \$100 and the fines imposed on persons not authorized to use these lights who do so from \$100 to \$200;

8) authorizes the current, rather than active, chief or first assistant chief of a volunteer fire company to operate red emergency lights and a siren and also authorizes the current chief officer of a first aid or rescue squad to operate such lights and siren; and

9) makes technical corrections.

The committee amended the bill to permit the placement of

contemporary blue light bars only if the municipality permits them. The committee updated sections of the law in the bill to their most current version.

This bill is identical to Senate Committee Substitute for S-1770 and S-2535 released by the committee on the same day.

STATEMENT TO
[First Reprint]
ASSEMBLY SUBSTITUTE FOR
ASSEMBLY, No. 2998

with Senate Floor Amendments
(Proposed By Senator SARLO)

ADOPTED: JUNE 20, 2005

This amendment deletes Senate Transportation Committee amendments to this bill which required municipal approval of light bars on emergency vehicles.

SENATE, No. 1770

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED SEPTEMBER 27, 2004

Sponsored by:

Senator PAUL SARLO

District 36 (Bergen, Essex and Passaic)

Senator FRED MADDEN

District 4 (Camden and Gloucester)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 1 of P.L.1977, c.223 (C.39:3-54.7) is amended to read
8 as follows:

9 1. An active member in good standing of a volunteer fire company
10 or a volunteer first aid or rescue squad recognized by and rendering
11 service in any municipality may display on any motor vehicle driven by
12 him an emergency warning light or lights or an electronic horn,
13 approved by the chief administrator, or both light or lights and
14 electronic horn as provided in this act. The [Director of Motor
15 Vehicles] chief administrator shall not require the member to specify
16 on which motor vehicles the emergency warning light or lights or the
17 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 chief administrator after consultation with
28 the Office of Emergency Medical Services in the Department of Health
29 and Senior Services and the Division of Fire Safety in the Department
30 of 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 attached,
36 removable lights of the flashing or revolving type, not more than 7
37 1/2 inches in diameter, equipped with a blue lens and a lamp [of not
38 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 specifications prescribed by the chief administrator.

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

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

39

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

42 6. Nothing contained herein is intended to grant to any member of
43 a volunteer fire company or a volunteer first aid or rescue squad any
44 privileges or exemptions denied to the drivers of other vehicles, and
45 such members displaying emergency warning lights and electronic
46 horns shall drive with due regard for the safety of all persons and shall

1 obey all the traffic laws of this State including R.S.39:4-81, provided,
2 however, that the drivers of non-emergency vehicles upon any highway
3 shall yield the right of way to the vehicle of any member of a volunteer
4 fire company or a volunteer first aid or rescue squad displaying
5 emergency warning lights or an electronic horn in the same manner as
6 is provided for authorized emergency vehicles pursuant to
7 R.S.39:4-92.

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

9

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

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

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

23

24 8. This act shall take effect on the first day of the seventh month
25 after enactment.

26

27

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STATEMENT

29

30 This bill permits volunteer firefighters and members of first aid and
31 rescue squads to install contemporary light bars and electronic horns
32 (non-pneumatic, non-wavering electronic audible warning devices) on
33 their vehicles to better alert other motorists and pedestrians of their
34 presence.

35 The Chief Administrator of the New Jersey Motor Vehicle
36 Commission would be responsible for issuing specifications for the
37 equipment. As is now the case with chiefs and first assistant chiefs,
38 volunteers could use the emergency warning lights, horns or both.
39 Lamps could be placed, for the first time, on the dashboard. Both the
40 lights and horns could only be operated when the volunteer is
41 answering a fire or emergency call and may not be used to go through
42 red lights.

43 The bill also amends the law to remove the requirement that
44 emergency warning lights have not more than 51 candlepower.

45 Identification cards prepared by Chief Administrator of the New
46 Jersey Motor Vehicle Commission permitting the usage of this

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1 equipment would be issued to the volunteers by their mayor or other
2 local chief executive officer. The newly authorized equipment could
3 not be mounted until a volunteer received his identification card.

4 The existing penalty for displays or usage in violation of the act by
5 those authorized to display such equipment is a \$50 fine and
6 suspension or revocation of display privileges. Motorists displaying
7 this equipment without authorization would be fined up to \$100.

SENATE, No. 2535

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED MAY 12, 2005

Sponsored by:

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

SYNOPSIS

Permits certain lights on emergency service volunteers' vehicles.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning emergency warning lights of fire and first aid or
2 rescue squad volunteers 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 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]** mount and operate on any
13 motor vehicle driven by **[him]** the member an emergency warning light
14 or lights as provided in **[this act]** P.L.1977, c.223 (C.39:3-54.7 et
15 seq.). The **[Director of Motor Vehicles]** Chief Administrator of the
16 New Jersey Motor Vehicle Commission shall not require the member
17 to specify on which motor vehicles the emergency warning light or
18 lights may be mounted.

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

20

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

23 3. Emergency warning lights shall be **[temporarily]** removable or
24 permanently attached, [removable lights] of the flashing or revolving
25 type, **[not more than 7 1/2 inches in diameter,]** equipped with a blue
26 lens and **[a lamp of not more than 51 candlepower and shall be]**
27 controlled by a switch installed inside the vehicle or shall be blue of
28 the light bar type, in accordance with the specifications prescribed by
29 the chief administrator.

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

31

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

34 4. No more than two emergency warning lights shall be installed on
35 a vehicle. If one light is used it shall be installed in the center of the
36 roof of the car**[, or on the left windshield column in a position where**
37 **a spotlight is normally located]**, or on the front of the vehicle so that
38 the top of the emergency warning light is no higher than the top of the
39 vehicle's headlights, or in the center of the dashboard. It may be a low
40 profile light bar of the strobe, halogen or incandescent type, or a
41 combination thereof. If two lights are used they may be placed on the
42 windshield columns on each side of the vehicle where spotlights are

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 normally mounted, or on either side of the roof at the front of the
2 vehicle directly back of the top of the windshield. Under no
3 circumstances may one light be placed on the roof and one on the
4 windshield column in the spotlight position. Light elements shall be
5 shielded from direct sight or view of the driver.

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

7

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

10 5. The [Director of Motor Vehicles] Chief Administrator of the
11 New Jersey Motor Vehicle Commission shall prepare suitable
12 identification cards bearing the signature of the [director] chief
13 administrator which, upon the request of the mayor or chief executive
14 officer of any municipality recognizing and being served by a volunteer
15 fire company or a volunteer first aid or rescue squad on a form and in
16 a manner prescribed by the [director] chief administrator, shall be
17 forwarded to the mayor or chief executive officer, to be countersigned
18 and issued by the mayor or chief executive officer to the members in
19 good standing of the volunteer fire company or first aid or rescue
20 squad. Identification cards issued pursuant to this section shall be
21 considered permits to [display] mount and operate emergency
22 warning lights as provided for in [this act] P.L.1977, c.223 (C.39:3-
23 54.7 et seq.) and shall apply to any motor vehicle driven by the
24 member of a volunteer fire company or a volunteer first aid or rescue
25 squad. Emergency warning lights shall not be mounted prior to the
26 issuance of the identification cards. Each member of a volunteer fire
27 company or a volunteer first aid or rescue squad must carry the
28 identification card while an emergency warning light or lights are
29 [displayed] operated on [his] the vehicle.

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

31

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

34 6. Nothing contained herein is intended to grant to any member of
35 a volunteer fire company or a volunteer first aid or rescue squad any
36 privileges or exemptions denied to the drivers of other vehicles, and
37 such members [displaying] operating emergency warning lights shall
38 drive with due regard for the safety of all persons and shall obey all
39 the traffic laws of this State including R.S.39:4-81, provided, however,
40 that the drivers of non-emergency vehicles upon any highway shall
41 yield the right of way to the vehicle of any member of a volunteer fire
42 company or a volunteer first aid or rescue squad [displaying]
43 operating emergency warning lights in the same manner as is provided
44 for authorized emergency vehicles pursuant to R.S.39:4-92.

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

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

3 7. Any person authorized to ~~display~~ operate emergency warning
4 lights pursuant to ~~this act~~ P.L.1977, c.223 (C.39:3-54.7 et seq.)
5 who wilfully ~~displays or uses~~ operates such emergency warning
6 lights in violation of the provisions of ~~this act~~ P.L.1977, c.223
7 (C.39:3-54.7 et seq.) shall be liable to a penalty of not more than
8 \$~~50.00~~ 100 and ~~his~~ the person's privilege to ~~display~~ operate
9 such emergency warning lights may be suspended or revoked by the
10 ~~Director of Motor Vehicles~~ Chief Administrator of the New Jersey
11 Motor Vehicle Commission. A person who is not authorized to
12 ~~display~~ operate emergency warning lights who wilfully ~~displays or~~
13 ~~uses~~ operates such emergency warning lights shall be liable to a
14 penalty of not more than \$~~100.00~~ 200.

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

16

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

19 1. ~~An active~~ A current chief or first assistant chief of a volunteer
20 fire company, ~~or chief officer of a first aid or rescue squad~~, recognized
21 by and rendering service in any municipality may ~~display~~ mount and
22 operate on a motor vehicle owned by him and registered in his name
23 a red emergency warning light or lights, a siren, or both, as prescribed
24 in ~~this act~~ P.L.1985, c.171 (C.39:3-54.15 et seq.). The size and
25 type of lights and siren, and the location of their controls, shall be
26 determined by the ~~Director of the Division of Motor Vehicles~~ Chief
27 Administrator of the New Jersey Motor Vehicle Commission.

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

29

30 8. This act shall take effect on the first day of the seventh month
31 after enactment.

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STATEMENT

35

36 This bill amends the law governing the operation of emergency
37 warning lights by volunteer firefighters and members of first aid and
38 rescue squads.

39 Specifically, the bill:

40 1) authorizes the use of contemporary blue light bars, in addition to
41 the currently authorized flashing or revolving blue lights, as prescribed
42 by the Chief Administrator of the New Jersey Motor Vehicle
43 Commission (MVC);

44 2) removes the maximum diameter and candlepower limitations
45 currently in the law;

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5

- 1 3) allows the emergency lights or light bars to be placed on the
2 dashboard;
- 3 4) requires the light elements to be shielded from the driver's view;
- 4 5) clarifies that these provisions pertain to "mounting" and
5 "operating" emergency warning lights rather than "displaying" these
6 lights;
- 7 6) adds to a current statutory requirement that volunteers operating
8 these lights are required to observe State traffic laws, a specific
9 reference to the law governing traffic signals, such as red lights;
- 10 7) increases the fines imposed on persons authorized to operate
11 emergency lights who violate these provisions from \$50 to \$100 and
12 the fines imposed on persons not authorized to use these lights who do
13 so from \$100 to \$200;
- 14 8) authorizes the current, rather than active, chief or first assistant
15 chief of a volunteer fire company to operate red emergency warning
16 lights and a siren and also authorizes the chief officer of a first aid or
17 rescue squad to operate such lights and siren; and
- 18 9) makes technical corrections.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 1770 and 2535**

STATE OF NEW JERSEY

DATED: MAY 19, 2005

The Senate Transportation Committee reports favorably Senate Committee Substitute for Senate Bill Nos. 1770 and 2535.

This substitute bill amends the law governing the operation of emergency warning lights by volunteer firefighters and members of first aid and rescue squads and volunteer Offices of Emergency Management.

Specifically, the substitute:

1) authorizes the use of contemporary blue light bars with municipal consent, in addition to the currently authorized flashing or revolving blue lights, as prescribed by the Chief Administrator of the New Jersey Motor Vehicle Commission;

2) removes the maximum diameter and candlepower limitations currently in the law;

3) allows the emergency lights or light bars to be placed on the dashboard. The light bars are only permitted if the municipality in which the vehicle is registered approves the placement of light bars on such vehicles by resolution;

4) requires the light elements to be shielded from the driver's view;

5) clarifies that these provisions pertain to "mounting" and "operating" emergency warning lights rather than "displaying" these lights;

6) clarifies that volunteers operating these lights are required to observe traffic signals, such as red lights;

7) increases the fines imposed on persons authorized to operate emergency lights who violate these provisions from \$50 to \$100 and the fines imposed on persons not authorized to use these lights who do so from \$100 to \$200;

8) authorizes the current, rather than active, chief or first assistant chief of a volunteer fire company to operate red emergency lights and a siren and also authorizes the current chief officer of a first aid or rescue squad to operate such lights and siren; and

9) makes technical corrections.

This bill is identical to A-2998(AS) released by the committee on the same day with amendments.

STATEMENT TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 1770 and 2535

with Senate Floor Amendments
(Proposed By Senator SARLO)

ADOPTED: JUNE 20, 2005

This bill removes the provision in this substitute bill adopted by the Senate Transportation Committee which required municipal approval of light bars on emergency vehicles.

PO BOX 004
TRENTON, NJ 08625

Contact: Kelley Heck
609-777-2600

RELEASE: September 07, 2005

Codey Signs Bills Aiding Volunteer Emergency Responders

Firefighters Will Receive College Credits for Volunteer Training

(TRENTON) –Acting Governor Richard J. Codey today signed A1479 and A2998, bills that will provide numerous benefits to emergency personnel by helping volunteers respond to emergencies and improving education and training opportunities for volunteer firefighters.

“In today’s fast paced society, we often fail to appreciate and thank the people that sacrifice to keep us safe,” said Codey. “These men and women juggle the demands of career and family while bravely putting their life on the line. As elected officials, we must do everything we can to honor their services and help these volunteers fulfill their duties.”

Codey signed the bill at the Hamilton Avenue Firehouse in Hasbrouck Heights where he was joined by bill sponsors Senator Paul A. Sarlo (D-Bergen, Essex, Passaic) and Assembly members Frederick Scalera (D-Essex), Patrick Diegnan, Jr. (D-Middlesex) and Jeff Van Drew (D-Cape May). Also joining them were more than 200 volunteer firefighters, including members of the Southern Bergen County Fire Chiefs Association. Other bill sponsors include Senators Andrew R. Ciesla (R-Monmouth, Ocean), John A. Girgenti (D-Bergen, Passaic) and Fred Madden (D-Camden, Gloucester) and Assemblyman John S. Wisniewski (D-Middlesex).

Bill A-1479 will increase the educational opportunities available for fire fighters, while also helping them in their pursuit of a college degree. County colleges will now be required to award college credits to firefighters for completion of certain courses in county fire academies. The colleges will work together with fire academies to identify courses at the academy, which offer a curriculum similar to that of courses included in the college’s fire program. The law will go into April 1, 2006.

“The men and women who pursue careers as some of New Jersey's Bravest learn many valuable lessons at their county firefighter academies that serve them well professionally later in life,” said Sarlo. “If the goal of community college is to prepare students for professional life, there is no reason why the courses taught at firefighter academies should not translate to credits towards a degree for those seeking to become professional firefighters.”

“Firefighters demonstrate their bravery when they run into a burning building in order to

save our lives and our property,” said Girgenti, Chairman of the Senate Law, Public Safety and Veterans Affairs Committee. “The same men and women who graduated from the fire academies will now be able to earn credit for the work they do everyday. We need to promote education, and provide opportunities for our firefighters to work toward a degree.”

Bill A-2998 will help volunteers respond to emergencies by correcting a litany of legal ambiguities surrounding the use of blue flashing lights on civilian response vehicles. Under previous law, the vast majority of blue lights used by volunteer emergency responders were technically illegal because they are too bright. However, the lights that the law did allow were too weak to effectively warn drivers and pedestrians to free up the road, which ultimately posed a safety hazard.

The new bill will resolve these legal ambiguities and permit volunteer first responders to install larger contemporary light bars on response vehicles. The bill will go into effect immediately and the Motor Vehicle Commission will be responsible for issuing specifications for the equipment and creating permits for volunteers.

“Volunteer firefighters are putting enough on the line as it is when they respond to an emergency call,” said Van Drew, a volunteer fireman and a life member of the New Jersey Firemen’s Association. “State laws should be written to the effect of aiding these unsung heroes instead of working against their efforts.”

“By giving our volunteer emergency responders access to the appropriate tools of the trade, we can increase response time, especially in municipalities that rely heavily on volunteer services to protect and serve their residents,” said Sarlo. “Emergency lights will allow our volunteers to move quickly through traffic and avoid compounding the emergency by getting into a car crash on the way to a call.”

"This bill helps ensure the safety of our critical volunteer firefighters and rescue squads. At the same time, it enables local residents and drivers to better recognize a vehicle heading to a fire or emergency site," said Senator Madden, D-Camden and Gloucester.

“This is an alarming case where state law is completely out of step with reality,” said Scalera, a former volunteer firefighter who currently serves as deputy fire chief of the Nutley Fire Department. “The blue lights that are permitted under state law are virtually nonexistent. They would be so weak that they would literally constitute a safety hazard.”

Scalera also serves as deputy coordinator for Essex County’s Office of Emergency Management. In this capacity, he has helped coordinate the decontamination unit that was deployed today as part of the state’s taskforce to assist the Gulf Coast region ravaged by Hurricane Katrina. The Nutley Fire Department also sent one of its firefighters as part of the statewide taskforce.