

VEHICLE CODE (75 PA.C.S.) - OMNIBUS AMENDMENTS

Act of Oct. 19, 2018, P.L. 547, No. 83

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Session of 2018

No. 2018-83

HB 1414

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; and, in other required equipment, further providing for visual and audible signals on emergency vehicles and for visual signals on authorized vehicles and providing for flashing or revolving yellow and white lights and for solid waste collection vehicles.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definitions of "emergency service responder" and "emergency vehicle" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding a definition to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

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"Emergency service responder." An individual acting in an official capacity as any of the following:

- (1) A police officer.
- (2) A sheriff or deputy sheriff.
- (3) A coroner or deputy coroner.
- (4) A firefighter.
- (5) Fire police.
- (6) A fire marshal.
- (7) A medical examiner or deputy medical examiner.
- (8) Rescue personnel.
- (9) Ambulance personnel.
- (10) Towing and recovery personnel.
- (11) Highway maintenance and construction personnel.
- (12) Hazardous material response team member.
- (13) Emergency medical services personnel.
- (14) Contractors or employees of a public utility as defined under 66 Pa.C.S. § 102 (relating to definitions), a municipally owned utility or an electric cooperative as defined in 15 Pa.C.S. Ch. 73 (relating to electric cooperative corporations).

(15) A police officer who is also a member of a county or regional municipal special emergency response team which is authorized to respond to emergencies under 42 Pa.C.S. § 8953 (relating to Statewide municipal police jurisdiction).

"Emergency vehicle." A State or county emergency management vehicle, fire department vehicle, police vehicle, sheriff vehicle, ambulance, advanced life support squad vehicle, basic life support squad vehicle, emergency canteen support service organization vehicle, blood delivery vehicle, human organ delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or

chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, a vehicle owned by or leased to a regional emergency medical services council that is used as authorized by the Department of Health to respond to an actual or potential disaster, mass casualty situation or substantial threat to public health, a vehicle owned by a county or regional police association and operated by a police officer that is used for police transport or victim extraction, a vehicle that is owned and operated by a county correctional institution in a city of the first class and used to respond to an emergency at a correctional institution in a city of the first class or to escort an ambulance which is transporting sick or injured prisoners in a city of the first class, any vehicle operated by a special agent, special agent supervisor, narcotics agent or narcotics agent supervisor while performing official duties as employees of the Office of Attorney General, any vehicle owned and operated by the Philadelphia Parking Authority established in accordance with 53 Pa.C.S. Ch. 55 (relating to parking authorities) and used in the enforcement of 53 Pa.C.S. Ch. 57 (relating to taxicabs and limousines in first class cities), **a vehicle owned by a city of the first class and operated by first judicial district certified armed probation officers**, a vehicle owned and operated by the Pennsylvania Turnpike Commission that is used by an emergency service responder as dispatched by the Pennsylvania Turnpike Commission's traffic operations center, or any other vehicle designated by the State Police under section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately owned vehicle used in answering an emergency call when used by any of the following:

- (1) A police chief and assistant chief.
- (2) A fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief.
- (3) A fire police captain and fire police lieutenant.
- (4) An ambulance corps commander and assistant commander.
- (5) A river rescue commander and assistant commander.
- (6) A county emergency management coordinator.
- (7) A fire marshal.
- (8) A rescue service chief and assistant chief.
- (9) The chief or operations director of a county hazardous materials response team.
- (10) **A police officer who is also a member of a county or regional municipal special emergency response team which is authorized to respond to emergencies under 42 Pa.C.S. § 8953 (relating to Statewide municipal police jurisdiction).**

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"Solid waste collection vehicle." A vehicle used for the curbside collection of municipal solid waste or recyclables.

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Section 2. Section 4571(b.1)(3) and (f) of Title 75 are amended, subsection (b.1) is amended by adding paragraphs and the section is amended by adding a subsection to read:
§ 4571. Visual and audible signals on emergency vehicles.

* * *

(b.1) Mounted lights and additional equipment.--

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(3) The department may not prohibit the use of flashing or revolving lights mounted internally in the passenger compartment of fire department vehicles or privately owned

vehicles used in answering an emergency call when used by a **fire police captain, fire police lieutenant**, fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief that comply with the department's regulations.

(3.1) **Police and sheriff vehicles may be equipped with flashing red and blue lights in reverse lamp assemblies.**

(3.2) **Emergency vehicles, other than police vehicles, may be equipped with flashing red lights in reverse lamp assemblies.**

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(b.2) **Police officer special emergency response team members.--A privately owned vehicle used in responding to an emergency under 42 Pa.C.S. § 8953 (relating to Statewide municipal police jurisdiction) by a police officer who is also a member of a county or regional special emergency response team shall be equipped with revolving or flashing red lights and an audible warning system in accordance with subsection (a) subject to the lights and audible warning system being returned to the head of the special emergency response team upon termination of a person's active status as a police officer or active member of a special emergency response team.**

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(f) **Conformity with department regulations.--Except as provided under [subsection] subsections (b.1)(1.1) and (b.2), all equipment authorized or required by this section shall conform to department regulations.**

Section 3. Section 4572(a) introductory paragraph of Title 75 is amended and the subsection is amended by adding a paragraph to read:

§ 4572. Visual signals on authorized vehicles.

(a) **Flashing or revolving blue lights.--Ambulance personnel, volunteer firefighters, certified volunteer search and rescue organization members and owners and handlers of dogs used in tracking humans may each equip one motor vehicle with no more than two flashing or revolving blue lights. The following shall apply:**

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(7) **The department may not prohibit the use of flashing or revolving blue lights mounted internally in the passenger compartment of a privately owned vehicle used in answering an emergency call that otherwise comply with the department's regulations.**

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Section 4. Title 75 is amended by adding sections to read:
§ 4572.1. **Flashing or revolving yellow and white lights.**

(a) **General rule.--Tow trucks may be equipped with one or more flashing or revolving yellow lights and one or more flashing or revolving white lights. The manner in which the light or lights shall be displayed shall be determined by regulation of the department.**

(b) **Limitations.--The flashing or revolving yellow and white lights on tow trucks shall be activated only when the vehicle is actively performing the type of work which is the basis of the designation of the vehicle as an authorized vehicle or is within the vicinity of an emergency response area. Tow trucks shall not operate with activated flashing or revolving yellow and white lights when:**

(1) **Not engaged in the act of towing a vehicle.**

(2) **Brake lights, turn signals and operating lights are visible from the rear and not obstructed.**

(3) The vehicle being towed does not trail behind the tow truck and is securely positioned on the flatbed of the tow truck with no parts of the towed vehicle overhanging.

(c) Penalty.--Unauthorized use of the lights specified in this subsection shall be a summary offense punishable by a fine of \$50.

§ 4572.2. Solid waste collection vehicles.

(a) General rule.--Upon approaching and passing a stationary solid waste collection vehicle that is giving a visual signal by means of a bright yellow strobe light as required under subsection (b), the driver of an approaching vehicle shall proceed as follows:

(1) make a lane change into a lane not adjacent to the solid waste collection vehicle, if possible in the existing safety and traffic conditions; or

(2) if a lane change under paragraph (1) would be impossible, prohibited by law or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which shall be less than the posted speed limit, and be prepared to stop.

(b) Requirements for solid waste collection vehicles.--Solid waste collection vehicles shall be equipped with a bright yellow strobe light affixed to the roof, which shall be mounted to provide visibility to vehicles approaching from any direction, in accordance with department regulations. The strobe light shall be active while stopped upon a street and while engaged in the collection of garbage, solid wastes, recyclables and refuse or while moving between stops at a speed not greater than 10 miles per hour.

Section 5. This act shall take effect in 60 days.

APPROVED--The 19th day of October, A.D. 2018.

TOM WOLF