

Pennsylvania State Police Testimony

**Pennsylvania House of Representatives
Veterans Affairs and Emergency Preparedness Committee
And
Transportation Subcommittee on Highways**

**Public Hearing: HB 1414
Amending Title 75, Vehicle Code, Section 4572
August 15, 2017**

Good morning, Chairmen Barrar and Taylor and Committee members. The Pennsylvania State Police is pleased to provide testimony concerning the proposed legislation to amend Title 75 of the Pennsylvania Consolidated Statutes, section 4572, to authorize the placement of emergency red lighting on tow trucks.

Highway safety has always been, and continues to be, a priority of the Pennsylvania State Police (PSP). In working toward this goal, it is the objective of PSP to ensure the safety of the motoring public and to render assistance to anyone in need in a timely, efficient, and safe manner. When a traffic crash, or other highway incident occurs, police, fire and emergency medical personnel are routinely dispatched to the scene. While each of these first responding agencies has a separate and distinct function, their single most important priority is life safety. Recognizing that life safety is the highest priority for these highly trained individuals, the law provides the legal authority for the use of emergency red lights and sirens on their vehicles to expedite their response to a scene to perform their life saving work. While tow trucks are also often summoned to assist at a crash scene, the role they perform is significantly different from the first responders responsible for life safety. Although a tow truck is essential to restoring the flow of traffic it is secondary to rescue/extrication operations, the rendering of medical assistance and/or the investigation of the crash. This distinction is noteworthy. Certainly, the timely arrival of a tow truck to a scene is beneficial; however, it does not rise to the same critical level as the expeditious arrival of the first responders because of the nature of their work. This distinction

has been long recognized by the Legislature as tow trucks are not classified as emergency vehicles and the bill would conflict with the provisions under Title 75, known as the Vehicle Code, and the regulations under Title 67, as well as Title 37, which authorizes the display of emergency red lights only on Emergency Vehicles.

With public and first responder safety in mind, the Pennsylvania State Police cannot support this amendment. Since a tow truck is not an emergency vehicle as defined under , the Vehicle Code, and therefore is not authorized to display emergency red lights, this amendment would unnecessarily blur the already clear distinction between emergency vehicles and authorized vehicles. Established law clearly defines the display and use requirements for these two separate types of lighting equipment as well as the entities approved to use them. Moreover, the motoring public is aware of the distinctions between authorized vehicles displaying yellow lights and emergency vehicles approved to use emergency red lights. In very plain terms, motorists recognize the authority conveyed by the different color lights and even more importantly, are aware of how to respond upon encountering an emergency vehicle utilizing emergency red lights.

The proposal to approve emergency red lights, in combination with yellow lights on a tow truck, would create a hybrid lighting configuration to which the public is not accustomed. This manner of lighting could potentially be confusing to motorists and create an unnecessary public safety issue. It is, therefore, the opinion of the PSP that this amendment does not enhance overall highway safety

for the motoring public or for tow truck operators. It should be noted that towing and recovery personnel performing work at the scene of a crash are currently afforded protection under section 3327 of the Vehicle Code (relating to Duty of Driver in Emergency Response Areas) which requires a motorist to move over, when feasible, when passing the emergency response area. This is the same protection provided to first responders.

Additionally, while the law currently authorizes emergency red lights for use by volunteer fireman on their personal vehicles and on those vehicles designated as emergency vehicles by the Pennsylvania State Police under section 6106 of the Vehicle Code, they are required by law to be tracked. This amendment lacks a requirement to track vehicles and/or operators that would be authorized to use or display the emergency red lights.

PSP believes that there is the potential for harm if this legislation were enacted. The amendment could cause confusion over the clear distinction between an emergency vehicle and an authorized vehicle and yielding no benefit to public or highway safety.

Again, the Pennsylvania State Police would like to thank the Committees for the opportunity to offer our thoughts today.