

ASSEMBLY, No. 3420

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Requires certain local and State government entities to issue certain emergency and warning light permits.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning emergency and amber warning lights and
2 amending various provisions of statutory law, supplementing
3 Title 39 of the Revised Statutes and repealing section 5 of
4 P.L.1977, c.223 and section 4 of 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
10 read as follows:

11 1. a. An active member in good standing of any of the
12 following organizations may mount and operate, on a motor vehicle
13 operated by that member, an emergency warning light or lights as
14 provided in P.L.1977, c.223 (C.39:3-54.7 et seq.):

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

17 (2) any county or municipal volunteer Office of Emergency
18 Management recognized by and rendering service in any county or
19 municipality, provided the member's official duties include
20 responding to a fire or emergency call.

21 b. **【The Chief Administrator of the New Jersey Motor Vehicle**
22 **Commission shall not require the member to specify on which**
23 **motor vehicles the emergency warning light or lights may be**
24 **mounted】** A permit for a qualified member of a volunteer fire
25 company, volunteer first aid or rescue squad, or municipal volunteer
26 Office of Emergency Management to mount and operate an
27 emergency warning light or lights shall be issued by the
28 municipality in which the applicant's service is being provided, in a
29 manner and form prescribed by the Chief Administrator of the New
30 Jersey Motor Vehicle Commission.

31 c. A permit for a qualified member of a county volunteer
32 Office of Emergency Management to mount and operate an
33 emergency warning light or lights shall be issued by the county in
34 which the applicant's service is being provided, in a manner and
35 form prescribed by the Chief Administrator of the New Jersey
36 Motor Vehicle Commission.

37 d. Pursuant to the "Administrative Procedure Act," P.L.1968,
38 c.410 (C.52:14B-1 et seq.), the Chief Administrator of the New
39 Jersey Motor Vehicle Commission, may adopt rules and regulations
40 to effectuate the purposes of this act.

41 (cf: P.L.2005, c.218, s.1)

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

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.

1 1. a. (1) A current chief of police of a municipality or the
2 first assistant to the chief of police of a municipality; a current chief
3 or first assistant chief of a volunteer fire company **[, or]**; a chief
4 officer of a first aid or rescue squad, recognized by and rendering
5 service in any municipality; or a municipal emergency management
6 coordinator or deputy municipal emergency management
7 coordinator may be granted a permit to mount and operate on a
8 motor vehicle owned or leased by him **[and registered in his name]**
9 a red emergency warning light or lights, a siren, or both, as
10 prescribed in P.L.1985, c.171 (C.39:3-54.15 et seq.). The size and
11 type of lights and siren, and the location of their controls, shall be
12 determined by the Chief Administrator of the New Jersey Motor
13 Vehicle Commission.

14 (2) The permit shall be issued by the municipality in which the
15 applicant's service is being provided, in a manner and form
16 prescribed by the Chief Administrator of the New Jersey Motor
17 Vehicle Commission.

18 b. (1) A county medical examiner or his deputy, assistant, or
19 investigator; a county or deputy county emergency management
20 coordinator; or a member of a search and rescue team, which has
21 been recognized by a county office of emergency management, may
22 be granted a permit to mount and operate on a personally owned or
23 leased motor vehicle a red emergency warning light or lights, a
24 siren, or both, as prescribed in P.L.1985, c.171 (C.39:3-54.15 et
25 seq.). The size and type of lights and siren, and the location of their
26 controls, shall be determined by the Chief Administrator of the New
27 Jersey Motor Vehicle Commission.

28 (2) The permit shall be issued by the county in which the
29 applicant's service is being provided, in a manner and form
30 prescribed by the Chief Administrator of the New Jersey Motor
31 Vehicle Commission.

32 c. (1) A member of a search and rescue team, which has been
33 recognized by the State Office of Emergency Management, may be
34 granted a permit to mount and operate on a motor vehicle owned or
35 leased by him a red emergency warning light or lights, a siren, or
36 both, as prescribed in P.L.1985, c.171 (C.39:3-54.15 et seq.). The
37 size and type of lights and siren, and the location of their controls,
38 shall be determined by the Chief Administrator of the New Jersey
39 Motor Vehicle Commission.

40 (2) The permit shall be issued by the State Office of Emergency
41 Management, in a manner and form prescribed by the Chief
42 Administrator of the New Jersey Motor Vehicle Commission.

43 d. (1) An organization engaged in the manufacture or sale of
44 emergency vehicles or equipment and operated by an employee
45 thereof only for the purpose of demonstration or delivery may be
46 granted a permit to mount and operate on such an emergency
47 vehicle or equipment manufactured or sold by the organization and
48 operated by the employee thereof only for the purpose of

1 demonstration or delivery a red emergency warning light or lights, a
2 siren, or both, as prescribed in P.L.1985, c.171 (C.39:3-54.15 et
3 seq.). The size and type of lights and siren, and the location of their
4 controls, shall be determined by the Chief Administrator of the New
5 Jersey Motor Vehicle Commission.

6 (2) The permit shall be issued by the Chief Administrator of the
7 New Jersey Motor Vehicle Commission.

8 e. Emergency warning lights and sirens mounted pursuant to
9 this section may be operated only while the vehicle is being used
10 for official purposes.

11 (cf: P.L.2005, c.218, s.7)

12
13 3. Section 5 of P.L.1985, c.171 (C.39:3-54.19) is amended to
14 read as follows

15 5. This act shall not grant to any **【chief or first assistant chief**
16 **of a volunteer fire company】** person authorized to display red
17 emergency warning lights, sirens, or both any privileges or
18 exemptions denied to the drivers of other vehicles, and persons
19 displaying red emergency warning lights, sirens, or both, shall drive
20 with due regard for the safety of all persons and shall obey the
21 traffic laws of this State; but drivers of nonemergency vehicles
22 upon any highway shall yield the right of way to the vehicle of any
23 **【chief or first assistant chief of a volunteer fire company】**
24 authorized person displaying red emergency warning lights, sirens,
25 or both, in the same manner as is provided for authorized
26 emergency vehicles pursuant to R.S.39:4-92.

27 (cf: P.L.1985, c.171, s.5)

28
29 4. Section 1 of P.L.1991, c.4 (C.39:3-54.21) is amended to read
30 as follows:

31 1. a. Any employee of the United States Postal Service who,
32 as part of his assigned duties as a rural route letter carrier, is
33 required to use a motor vehicle owned or leased by him or a
34 member of his family in the performance of his duties may display
35 on that motor vehicle an amber warning light.

36 The permit for the amber warning light shall be issued by a
37 municipality wherein that service is provided, in a manner and form
38 prescribed by the Chief Administrator of the New Jersey Motor
39 Vehicle Commission.

40 The amber warning light may be operated only while the motor
41 vehicle is being used by the United States Postal Service employee
42 in the performance of his duties as a rural letter carrier.

43 The amber warning lights authorized under the provisions of this
44 act shall be temporarily attached, removable lights of the flashing or
45 revolving type, not more than 7 1/2 inches in diameter, not more
46 than 51 candlepower, and shall be controlled by a switch installed
47 inside the vehicle.

1 While in operation, the amber warning light shall be
2 conspicuously displayed on the roof of the motor vehicle.

3 Nothing herein shall be construed to grant any person displaying
4 and operating an amber warning light pursuant to the provisions of
5 this act any privileges or exemptions denied to the drivers of other
6 motor vehicles and all such persons shall drive with due regard for
7 the safety of all persons and shall obey the traffic laws of this State.

8 b. The ~~【Director of the Division of Motor Vehicles】~~ the Chief
9 Administrator of the Motor Vehicle Commission, in accordance
10 with the provisions of the "Administrative Procedure Act,"
11 P.L.1968, c.410 (C.52:14B-1 et seq.), shall promulgate rules and
12 regulations to effectuate the purposes of this act.
13 (cf: P.L.1991, c.4, s.1)

14

15 5. (New section) a. An owner or lessee of a motor vehicle
16 operated for the following commercial purposes may apply for and
17 be issued a permit authorizing the display on that motor vehicle of a
18 flashing amber warning light:

- 19 1) tow trucks bearing commercial registration;
20 2) service vehicles bearing commercial registration;
21 3) snow-removal vehicles and sanding vehicle bearing
22 commercial registration; and
23 4) security service vehicles bearing commercial registration.

24 b. The permit shall be issued by a municipality wherein those
25 services are provided in a manner and form prescribed by the Chief
26 Administrator of the New Jersey Motor Vehicle Commission.

27 c. The permit for the amber warning light shall be in the
28 possession of the operator of the motor vehicle while the light is
29 displayed on the motor vehicle.

30 d. The municipality that issues the permit shall collect a \$25
31 fee for the initial issuance and for each subsequent renewal of the
32 permit for each vehicle for which the applicant seeks authorization
33 to use an amber warning light.

34 e. The amber warning lights mounted pursuant to this section
35 may be operated for the protection of the public and the operator of
36 the motor vehicle only while the motor vehicle is being used for
37 official purposes, as determined by the chief administrator.

38 f. The amber warning lights authorized under the provisions of
39 this act shall be temporarily attached, removable lights of the
40 flashing or revolving type, not more than 7 1/2 inches in diameter,
41 and shall be controlled by a switch installed inside the vehicle.
42 While in operation, the amber warning light shall be conspicuously
43 displayed on the roof of the motor vehicle.

44 g. Nothing herein shall be construed to grant any person
45 displaying and operating an amber warning light pursuant to the
46 provisions of this act any privileges or exemptions denied to the
47 drivers of other motor vehicles and all such persons shall drive with

1 due regard for the safety of all persons and shall obey the traffic
2 laws of this State.

3
4 6. (New section) a. An authorized employee of a contractor
5 or subcontractor of the New Jersey Department of Transportation,
6 the New Jersey Turnpike Authority, or the South Jersey
7 Transportation Authority, who, as part of the official duties of the
8 employee, is required to use a motor vehicle owned or leased by
9 him or a member of his family in the performance of his duties may
10 apply for and be issued a permit by the chief administrator
11 authorizing the display on that motor vehicle of an amber warning
12 light.

13 b. The permit for the amber warning light shall be in the
14 possession of the employee while the light is displayed on the motor
15 vehicle.

16 c. The amber warning light may be operated for the protection
17 of the public and the employee only while the motor vehicle is
18 being used for official purposes, as determined by the Chief
19 Administrator of the New Jersey Motor Vehicle Commission.

20 d. The amber warning lights authorized under the provisions of
21 this act shall be temporarily attached, removable lights of the
22 flashing or revolving type, not more than 7 1/2 inches in diameter,
23 and shall be controlled by a switch installed inside the vehicle.
24 While in operation, the amber warning light shall be conspicuously
25 displayed on the roof of the motor vehicle.

26 e. Nothing herein shall be construed to grant any person
27 displaying and operating an amber warning light pursuant to the
28 provisions of this act any privileges or exemptions denied to the
29 drivers of other motor vehicles and all such persons shall drive with
30 due regard for the safety of all persons and shall obey the traffic
31 laws of this State.

32
33 7. The following sections are repealed:

34 Section 5 of P.L.1977, c.223 (C.39:3-54.11); and

35 Section 4 of P.L.1985, c.171 (C.39:3-54.18).
36

37 8. This act shall take effect on the first day of the seventh
38 month following enactment, but the Chief Administrator of the New
39 Jersey Motor Vehicle Commission may take such anticipatory
40 administrative action in advance thereof as shall be necessary for
41 the implementation of this act.
42
43

44 STATEMENT

45
46 This bill provides that permits to mount and operate blue and red
47 emergency warning lights on motor vehicles are to be issued by
48 certain local or State entities.

1 Under current law, the Motor Vehicle Commission issues
2 permits to mount and operate blue and red emergency warning
3 lights, and amber warning lights on motor vehicles. Pursuant to
4 statute and regulation, persons who are qualified to apply for the
5 use of blue emergency warning lights include:

- 6 • members of volunteer fire companies or volunteer first aid or
7 rescue squads; and
- 8 • members of county or municipal volunteer offices of
9 emergency management whose official duties include
10 responding to a fire or emergency call.

11 Persons who are qualified to apply for the use of red emergency
12 warning lights include:

- 13 • current municipal chiefs, or first assistant chiefs of police;
- 14 • current chiefs or first assistant chiefs of volunteer fire
15 companies;
- 16 • chief officers of first aid or rescue squads;
- 17 • county and municipal emergency management coordinators
18 or deputy emergency management coordinators;
- 19 • county medical examiners and certain medical examiners'
20 office staff;
- 21 • search and rescue teams recognized by county offices of
22 emergency management or the State Office of Emergency
23 Management; and
- 24 • employees of organizations engaged in the manufacture or
25 sale of emergency vehicles or equipment, who operate such
26 vehicles or equipment only for the purpose of demonstration
27 or delivery.

28 Persons who are qualified to apply for the use amber warning
29 lights include:

- 30 • owners or lessees of the follow commercial vehicles:
 - 31 ○ tow trucks bearing commercial registration;
 - 32 ○ service vehicles bearing commercial registration;
 - 33 ○ snow-removal vehicles and sanding vehicle bearing
34 commercial registration; and
 - 35 ○ security service vehicles bearing commercial
36 registration;
- 37 • authorized employees of a public utility company;
- 38 • rural letter carriers employed by the United States Postal
39 Service; and
- 40 • authorized employees of a contractor or subcontractor of the
41 New Jersey Department of Transportation, the New Jersey
42 Turnpike Authority, or the South Jersey Transportation.

43 This bill, in accordance with a recommendation made in the
44 report issued by the Red Tape Review Commission on February 12,
45 2012, amends current law to provide that certain red and blue
46 emergency light permit applications that require local or State
47 agency oversight, and the amber warning light permit application

1 that require municipal oversight, before being issued by the Motor
2 Vehicle Commission (MVC), will now be issued by the local or
3 State authority, removing the duplicative process of additional
4 oversight by the MVC. The bill also provides that the \$25 fee
5 collected by the MVC for issuance of amber light permits to
6 commercial entities will be collected by the municipalities which
7 issue the permits.

8 This bill also removes the sections of law which require the
9 MVC to prepare and issue identification cards for certain persons
10 authorized to mount and operate blue and red emergency warning
11 lights.