

# 2023 SESSION

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## HOUSE BILL NO. 1376

Offered January 11, 2023

Prefiled October 17, 2022

*A BILL to amend and reenact § 46.2-1025 of the Code of Virginia, relating to amateur radio operators; amber lights.*

Patron—Greenhalgh

Referred to Committee on Transportation

### **Be it enacted by the General Assembly of Virginia:**

**1. That § 46.2-1025 of the Code of Virginia is amended and reenacted as follows:**

**§ 46.2-1025. Flashing amber, purple, or green warning lights.**

A. The following vehicles may be equipped with flashing, blinking, or alternating amber warning lights of types approved by the Superintendent:

1. Vehicles used for the principal purpose of towing or servicing disabled vehicles;

2. Vehicles used in constructing, maintaining, and repairing highways or utilities on or along public highways, or in assisting with the management of roadside and traffic incidents, or performing traffic management services along public highways;

3. Vehicles used for the principal purpose of removing hazardous or polluting substances from state waters and drainage areas on or along public highways, or state vehicles used to perform other state-required environmental activities, provided that the amber lights are not lit while the vehicle is in motion;

4. Vehicles used for servicing automatic teller machines, provided the amber lights are not lit while the vehicle is in motion;

5. Vehicles used in refuse collection, provided the amber lights are lit only when the vehicles are engaged in refuse collection operations;

6. Vehicles used by individuals for emergency snow-removal purposes;

7. Hi-rail vehicles, provided the amber lights are lit only when the vehicles are operated on railroad rails;

8. Fire apparatus and emergency medical services vehicles, provided the amber lights are used in addition to lights permitted under § 46.2-1023 and are so mounted or installed as to be visible from behind the vehicle;

9. Vehicles owned and used by businesses providing security services, provided the amber lights are not lit while the vehicle is being operated on a public highway;

10. Vehicles used to collect and deliver the United States mail, provided the amber lights are lit only when the vehicle is actually engaged in such collection or delivery;

11. Vehicles used to collect and deliver packages weighing less than 150 pounds by a national package delivery company that delivers such packages in all 50 states, provided that the amber lights are lit only when the vehicle is stopped and its operator is engaged in such collection and delivery;

12. Vehicles used to transport petroleum or propane products, provided the amber light is mounted on the rear of the vehicle and is lit when parked while making a delivery of petroleum or propane products, or when the vehicle's back-up lights are lit and its device producing an audible signal when the vehicle is operated in reverse gear, as provided for in § 46.2-1175.1, is in operation;

13. Vehicles used by law-enforcement agency personnel in the enforcement of laws governing motor vehicle parking;

14. Government-owned law-enforcement vehicles, provided the lights are used for the purpose of giving directional warning to vehicular traffic to move one direction or another and are not lit while the vehicle is in motion;

15. Chase vehicles when used to unload a hot air balloon or used to load a hot air balloon after landing, provided the amber lights are not lit while the vehicle is in motion;

16. Vehicles used for farm, agricultural, or horticultural purposes, or any farm tractor;

17. Vehicles owned and used by construction companies operating under Virginia contractors licenses;

18. Vehicles used to lead or provide escorts for bicycle races authorized by the Department of Transportation or the locality in which the race is being conducted;

19. Vehicles used by radio or television stations for remote broadcasts, provided that the amber lights are not lit while the vehicle is in motion;

20. Vehicles used by municipal safety officers in the performance of their official duties. For the

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59 purpose of this subdivision, "municipal safety officers" means municipal employees responsible for  
60 managing municipal safety programs and ensuring municipal compliance with safety and environmental  
61 regulatory mandates;

62 21. Vehicles used as pace cars, security vehicles, or firefighting vehicles by any speedway or motor  
63 vehicle race track, provided that the amber lights are not lit while the vehicle is being operated on a  
64 public highway;

65 22. Vehicles used in patrol work by members of neighborhood watch groups approved by the chief  
66 law-enforcement officer of the locality in their assigned neighborhood watch program area, provided that  
67 the vehicles are clearly identified as neighborhood watch vehicles, and the amber lights are not lit while  
68 the vehicle is in motion;

69 23. Vehicles that are not tow trucks as defined in § 46.2-100, but are owned or controlled by a  
70 towing and recovery business, provided that the amber lights are lit only when the vehicle is being used  
71 at a towing and recovery site;

72 24. Vehicles used or operated by federally licensed amateur radio operators; ~~provided that the amber~~  
73 ~~lights are not lit while the vehicle is in motion~~; (i) while participating in emergency communications or  
74 drills on behalf of federal, state, or local authorities or (ii) while providing communications services to  
75 localities for public service events authorized by the Department of Transportation where the event is  
76 being conducted;

77 25. Publicly owned or operated transit buses; and

78 26. Vehicles used for hauling trees, logs, or any other forest products when hauling such products,  
79 provided that the amber lights are mounted or installed so as to be visible from behind the vehicle.

80 B. Except as otherwise provided in this section, such amber lights shall be lit only when performing  
81 the functions which qualify them to be equipped with such lights.

82 C. Vehicles used to lead or provide escorts for funeral processions may use either amber warning  
83 lights or purple warning lights, but amber warning lights and purple warning lights shall not  
84 simultaneously be used on the same vehicle. The Superintendent of State Police shall develop standards  
85 and specifications for purple lights authorized in this subsection.

86 D. Vehicles used by police, firefighting, or emergency medical services personnel as command  
87 centers at the scene of incidents may be equipped with and use green warning lights of a type approved  
88 by the Superintendent. Such lights shall not be activated while the vehicle is operating upon the  
89 highway.