

By: Representative Bowles

To: Transportation

HOUSE BILL NO. 401

1 AN ACT TO AMEND SECTIONS 63-7-19 AND 63-7-65, MISSISSIPPI
2 CODE OF 1972, TO REQUIRE OPERATORS OF EMERGENCY VEHICLES THAT ARE
3 AUTHORIZED TO BE MARKED WITH BLUE OR RED LIGHTS TO OPERATE SUCH
4 LIGHTS WHENEVER EXCEEDING THE POSTED SPEED LIMIT BY AT LEAST TEN
5 MILES PER HOUR WHETHER OR NOT SUCH VEHICLES ARE RESPONDING TO AN
6 EMERGENCY; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 63-7-19, Mississippi Code of 1972, is
9 amended as follows:

10 63-7-19. (1) Except as otherwise provided for unmarked
11 vehicles under Section 19-25-15 and Section 25-1-87, every police
12 vehicle shall be marked with blue lights. Every ambulance shall
13 be marked with red lights front and back. Every emergency
14 management/civil defense vehicle, including emergency response
15 vehicles of the Department of Environmental Quality, shall be
16 marked with blinking, rotating or oscillating red lights. Every
17 wrecker or other vehicle used for emergency work, except vehicles
18 authorized to use blue or red lights, shall be marked with
19 blinking, oscillating or rotating amber colored lights to warn
20 other vehicles to yield the right-of-way, as provided in Section
21 63-3-809. Only police vehicles used for emergency work may be
22 marked with blinking, oscillating or rotating blue lights to warn
23 other vehicles to yield the right-of-way. Only law enforcement
24 vehicles, fire vehicles, private or department-owned vehicles used
25 by firemen of volunteer fire departments which receive funds
26 pursuant to Section 83-1-39 when responding to calls, emergency
27 management/civil defense vehicles, emergency response vehicles of
28 the Department of Environmental Quality and ambulances used for
29 emergency work may be marked with blinking, oscillating or



30 rotating red lights to warn other vehicles to yield the
31 right-of-way. This section shall not apply to school buses
32 carrying lighting devices in accordance with Section 63-7-23.

33 (2) Any vehicle referred to in subsection (1) of this
34 section also shall be authorized to use alternating flashing
35 headlights when responding to any emergency.

36 (3) Any vehicle operated by a United States rural mail
37 carrier for the purpose of delivering United States mail may be
38 marked with two (2) amber colored lights on front top of the
39 vehicle and two (2) red colored lights on rear top of the vehicle
40 so as to warn approaching travelers to decrease their speed
41 because of danger of colliding with the mail carrier as he stops
42 and starts along the edge of the road, street or highway.

43 (4) Every operator of an emergency vehicle that is
44 authorized by this section to be marked with blue or red lights,
45 whenever exceeding the posted speed limit by at least ten (10)
46 miles per hour, whether or not the vehicle is responding to an
47 emergency, shall operate such lights.

48 **SECTION 2.** Section 63-7-65, Mississippi Code of 1972, is
49 amended as follows:

50 63-7-65. (1) Every motor vehicle when operated upon a
51 highway shall be equipped with a horn in good working order and
52 capable of emitting sound audible under normal conditions from a
53 distance of not less than two hundred (200) feet. The driver of a
54 motor vehicle shall, when reasonably necessary to insure safe
55 operation, give audible warning with his horn but shall not
56 otherwise use such horn upon a highway. No horn or other warning
57 device shall emit an unreasonably loud or harsh sound or a
58 whistle.

59 (2) Any * * * emergency vehicle authorized under Section
60 63-7-19 to be marked with blue or red lights may be equipped with
61 a siren, whistle, or bell, capable of emitting sound audible under
62 normal conditions from a distance of not less than five hundred



63 (500) feet and of a type approved by the department. * * * Such
64 siren, whistle or bell shall be used whenever such vehicle is
65 operated in response to an emergency call, or in the immediate
66 pursuit of an actual or suspected violator of the law, or whenever
67 the vehicle is exceeding the posted speed limit by at least ten
68 (10) miles per hour or whenever necessary to warn pedestrians and
69 other drivers of the approach thereof.

70 (3) No vehicle shall be equipped with nor shall any person
71 use upon a vehicle any siren, whistle, or bell, except as
72 otherwise permitted in this section. No bicycle shall be equipped
73 with nor shall any person use upon a bicycle any siren or whistle.

74 (4) Any vehicle may be equipped with a theft alarm signal
75 device which is so arranged that it cannot be used by the driver
76 as an ordinary warning signal.

77 **SECTION 3.** This act shall take effect and be in force from
78 and after July 1, 2002.

