

By: Representatives Hale, Scoggin, Miles

To: Judiciary B

HOUSE BILL NO. 49

1 AN ACT TO AMEND SECTION 63-7-19, MISSISSIPPI CODE OF 1972, TO
 2 REQUIRE ALL PUBLICLY OWNED FIRE TRUCKS WITH FIRE APPARATUS TO USE
 3 BLUE COLORED ELECTRIC LIGHTS ON THE REAR OF THE VEHICLE NOT TO
 4 EXCEED FIFTY PERCENT OF THE VISUAL LIGHTS; TO AMEND SECTION
 5 63-7-20, MISSISSIPPI CODE OF 1972, TO MAKE IT UNLAWFUL FOR ANY
 6 PERSON OTHER THAN AN AUTHORIZED OPERATOR OF A PUBLICLY OWNED FIRE
 7 TRUCK WITH FIRE APPARATUS TO USE SUCH LIGHTS; TO INCREASE THE
 8 PENALTIES FOR SOMEONE VIOLATING SUCH; TO AMEND SECTIONS 63-7-13
 9 AND 63-7-23, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED
 10 PURPOSES.

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

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

14 63-7-19. (1) (a) Except as otherwise provided for unmarked
 15 vehicles under Section 19-25-15 and Section 25-1-87, every police
 16 vehicle shall be marked with blue lights. Every ambulance and
 17 special use EMS vehicle as defined in Section 41-59-3 shall be
 18 marked with red lights front and back and also may be marked with
 19 white and amber lights in addition to red lights. Every emergency
 20 management/civil defense vehicle, including emergency response
 21 vehicles of the Department of Environmental Quality, shall be
 22 marked with blinking, rotating or oscillating red lights.



23 Official vehicles of a 911 Emergency Communications District may
24 be marked with red and white lights. Every wrecker or other
25 vehicle used for emergency work, except vehicles authorized to use
26 blue or red lights, shall be marked with blinking, oscillating or
27 rotating amber-colored lights to warn other vehicles to yield the
28 right-of-way, as provided in Section 63-3-809. Only police
29 vehicles used for emergency work may be marked with blinking,
30 oscillating or rotating blue lights to warn other vehicles to
31 yield the right-of-way. Only law enforcement vehicles, fire
32 vehicles, private or department-owned vehicles used by firemen of
33 volunteer fire departments which receive funds pursuant to Section
34 83-1-39 when responding to calls, emergency management/civil
35 defense vehicles, emergency response vehicles of the Department of
36 Environmental Quality, ambulances used for emergency work, and 911
37 Emergency Communications District vehicles may be marked with
38 blinking, oscillating or rotating red lights to warn other
39 vehicles to yield the right-of-way. This section shall not apply
40 to school buses carrying lighting devices in accordance with
41 Section 63-7-23.

42 (b) Emergency response vehicles listed in this
43 subsection (1) are also authorized to use alternating flashing
44 headlights when responding to any emergency.

45 (2) Any vehicle operated by a United States rural mail
46 carrier for the purpose of delivering United States mail may be
47 marked with two (2) amber-colored lights on front top of the



48 vehicle and two (2) red-colored lights on rear top of the vehicle
49 and alternatively or additionally may be marked with a white,
50 flashing strobe light on the roof of the vehicle so as to warn
51 approaching travelers to decrease their speed because of danger of
52 colliding with the mail carrier as he stops and starts along the
53 edge of the road, street or highway.

54 (3) Any sanitation vehicle operated by a county,
55 municipality or other political subdivision of this state or by a
56 contractor under contract with a county, municipality or other
57 political subdivision of this state to collect solid waste, refuse
58 or recyclable material may be marked with flashing or oscillating
59 white- or amber-colored lights so as to warn approaching travelers
60 to decrease speed because of the danger of colliding with the
61 sanitation collection vehicle as it stops and starts along the
62 road, street or highway.

63 (4) Any nonlaw enforcement vehicle being used to lead and
64 facilitate the movement of a military funeral procession may be
65 marked with blinking, rotating or oscillating purple lights.
66 "Military funeral procession" means two (2) or more vehicles
67 accompanying the body of a deceased member of the United States
68 Armed Forces, or traveling to the church, chapel or other location
69 at which the funeral service or entombment is to be held.

70 (5) (a) Notwithstanding any provision of law to the
71 contrary, all publicly owned fire trucks with fire apparatus shall
72 use blue colored electric lights. The lights shall be on the rear



73 of the vehicle and shall not exceed fifty percent (50%) of the
74 visual lights. Fire trucks with fire apparatus may be retrofitted
75 to meet this requirement.

76 (b) For the purposes of this subsection (5), "fire
77 truck" means any one of the following:

78 (i) A pumper fire apparatus, which is a vehicle
79 equipped with a permanently mounted fire pump of 750 gpm (2850
80 L/min) rated capacity or greater, a water tank of at least 500 gal
81 (1900 L), and hose body. The primary purpose of this type of
82 apparatus is to combat structural and associated fires.

83 (ii) An initial attack fire apparatus, which is a
84 vehicle equipped with an attack pump of 250 through 700 gpm (950
85 through 2650 L/min), a water tank, and minimum hose and equipment,
86 this is designed primarily for rapid response and initiating a
87 fire attack on structural, vehicular or vegetation fires and
88 supporting associated fire department operations.

89 (iii) A mobile water supply fire apparatus, which
90 is a vehicle equipped with a water tank of at least 1000 gal (3800
91 L) and designed primarily for transporting water to fire emergency
92 scenes to be applied by other vehicles or pumping equipment.

93 (iv) An aerial ladder and elevating platform fire
94 apparatus, which is a vehicle equipped with a permanently mounted,
95 power-operated aerial ladder or with a passenger carrying platform
96 attached to the uppermost boom of a series of telescoping,
97 articulating or telescoping and articulating booms and designed to



98 provide rescue capability from elevated positions and the
99 positioning of firefighters and elevated master streams for fire
100 suppression tasks.

101 **SECTION 2.** Section 63-7-20, Mississippi Code of 1972, is
102 amended as follows:

103 63-7-20. (1) It is unlawful for any person, other than a
104 law enforcement officer on duty or authorized operator of a
105 publicly owned fire truck with fire apparatus on duty, to use or
106 display blue lights on a motor vehicle as provided for in Section
107 63-7-19.

108 (2) It is unlawful for any person to use or display red
109 lights on a motor vehicle except as provided for in Section
110 63-7-19. It is not unlawful for the red lights authorized for
111 private or department-owned vehicles used by firemen of volunteer
112 fire departments, as provided in Section 63-7-19, to remain
113 mounted on such vehicles when the lights are not in use.

114 (3) It is unlawful for any vehicle to use alternating
115 flashing headlights except an emergency vehicle as provided in
116 Section 63-7-19.

117 (4) A person violating this section is guilty of a
118 misdemeanor and, upon conviction, shall be punished by a fine
119 of * * * Five Hundred Dollars (\$500.00) and may be imprisoned in
120 the county jail for a term of not more than six (6) months.

121 **SECTION 3.** Section 63-7-13, Mississippi Code of 1972, is
122 amended as follows:



123 63-7-13. (1) **Headlamps on motor vehicles.** Every motor
124 vehicle other than a motorcycle or motor-driven cycle shall be
125 equipped with at least two (2) headlamps with at least one (1) on
126 each side of the front of the motor vehicle, which headlamps shall
127 comply with the requirements and limitations set forth in Section
128 63-7-31.

129 (2) **Headlamps on motorcycles.** Every motorcycle shall be
130 equipped with at least one (1) and not more than two (2) headlamps
131 which shall comply with the requirements and limitations set forth
132 in Section 63-7-31.

133 (3) **Rear lamps.** Every motor vehicle, trailer, semitrailer,
134 pole trailer and any other vehicle which is being drawn in a train
135 of vehicles shall be equipped with at least one (1) rear lamp
136 mounted on the rear, which, when lighted, shall emit a red light
137 plainly visible from a distance of five hundred (500) feet to the
138 rear. However, any antique automobile, as defined under Section
139 27-19-47, and any street rod, as defined under Section 27-19-56.6,
140 may be equipped with one or more rear lamps that have been
141 modified to emit a blue, violet or purple light resembling rear
142 lamps appearing on some American automobiles originally
143 manufactured in the 1940s and 1950s.

144 Either a rear lamp or a separate lamp shall be so constructed
145 and placed as to illuminate with a white light the rear
146 registration plate and render it clearly readable from a distance
147 of fifty (50) feet to the rear. Any rear lamp or tail lamps,



148 together with any separate lamp for illuminating the rear
149 registration plate, shall be so wired as to be lighted whenever
150 the headlamps, cowl lamps or fender lamps are lighted.

151 (4) **Lamps on bicycles.** Every bicycle shall be equipped with
152 a lighted white lamp on the front thereof visible under normal
153 atmospheric conditions from a distance of at least five hundred
154 (500) feet in front of such bicycle and shall also be equipped
155 with a reflex mirror reflector or lamp on the rear exhibiting a
156 red light visible under like conditions from a distance of at
157 least five hundred (500) feet to the rear of such bicycle.

158 (5) **Lights on other vehicles.** All vehicles not required in
159 this chapter to be equipped with special lighted lamps shall carry
160 one or more lights, lamps or lanterns displaying a white light,
161 visible under normal atmospheric conditions from a distance of not
162 less than five hundred (500) feet to the front of such vehicle and
163 shall display a reflex reflector or red light visible under like
164 conditions from a distance of not less than three hundred (300)
165 feet to the rear of such vehicle.

166 (6) Nothing in this section shall prohibit the use of blue
167 colored electric lights in accordance with Section 63-7-19(5).

168 **SECTION 4.** Section 63-7-23, Mississippi Code of 1972, is
169 amended as follows:

170 63-7-23. (1) The color of lighting devices shall be as
171 follows:



172 (a) All front clearance lamps, and all side marker
173 lamps, except the one on each side at or near the rear of any bus,
174 truck, truck tractor, semitrailer, full trailer or pole trailer,
175 shall when lighted display an amber color.

176 (b) No red lighting device of any character shall be
177 mounted at any place other than on or near the rear of any bus,
178 truck, truck tractor, semitrailer, full trailer or pole trailer.
179 However, school buses owned by or under contract with a school
180 district of this state may have affixed at or near the front end
181 thereof red lighting devices that may be caused to blink when the
182 school bus is stopped or in the process of stopping for the
183 purpose of loading or unloading school children. A school bus
184 also may be equipped with a white, flashing strobe light on the
185 roof of the vehicle installed according to standards promulgated
186 by the Mississippi Department of Education as authorized under
187 Section 37-41-1(c).

188 (c) All rear clearance lamps, the side marker lamps on
189 each side at or near the rear, and any other lamps mounted on the
190 rear, on any bus, truck, truck tractor, semitrailer, full trailer
191 or pole trailer shall when lighted display a red color. However,
192 the stoplight or other warning device on the rear of any motor
193 vehicle may be red or amber.

194 (d) Backing lights of any color may be mounted on the
195 rear of any motor vehicle if the switch controlling such lights be
196 so arranged that they may be turned on only when the vehicle is in



197 reverse gear. Such backing lights when unlighted shall be so
198 colored or otherwise arranged as not to reflect objectionable
199 glare in the eyes of drivers of vehicles approaching from the
200 rear.

201 (2) Auxiliary white lights mounted on or near the rear of a
202 motor vehicle, or visible from the rear of the vehicle, shall not
203 be prohibited under the provisions of this section if (a) the
204 vehicle's gross weight is less than twelve thousand one (12,001)
205 pounds, and (b) the lights are designed by the motor vehicle
206 manufacturer or an after-market parts manufacturer so that they
207 may only be illuminated whenever the vehicle is not in motion and
208 the transmission of the vehicle is not capable of transmitting
209 power to the wheels.

210 (3) No provision of this section shall be so construed as to
211 prohibit the use of any white light or lights for the purpose of
212 illuminating license plates.

213 (4) Any lamps illuminated when the vehicle is in motion,
214 other than those expressly required or permitted by the provisions
215 of this chapter or other law, shall, if visible from the front,
216 display only a white or amber light; if visible from either side,
217 display an amber light; and if visible from the rear, display a
218 red light.

219 (5) Nothing in this section shall prohibit the use of blue
220 colored electric lights in accordance with Section 63-7-19(5).



221 **SECTION 5.** This act shall take effect and be in force from
222 and after July 1, 2018.

