

By: Representatives Hale, Scoggin, Miles,  
Dixon

To: Judiciary B

HOUSE BILL NO. 49  
(As Passed the House)

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; TO AMEND  
10 SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN  
11 ADDITIONAL ROUND FOR THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE  
12 PROGRAM; AND FOR RELATED PURPOSES.

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

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

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



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

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

47 (2) Any vehicle operated by a United States rural mail  
48 carrier for the purpose of delivering United States mail may be



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

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

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

72 (5) (a) Notwithstanding any provision of law to the  
73 contrary, all publicly owned fire trucks with fire apparatus,



74 except those owned by volunteer fire departments, may use blue  
75 colored electric lights. The lights shall be on the rear of the  
76 vehicle and shall not exceed fifty percent (50%) of the visual  
77 lights. Fire trucks with fire apparatus may be retrofitted to  
78 meet this requirement.

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

81 (i) A pumper fire apparatus, which is a vehicle  
82 equipped with a permanently mounted fire pump of 750 gpm (2850  
83 L/min) rated capacity or greater, a water tank of at least 500 gal  
84 (1900 L), and hose body. The primary purpose of this type of  
85 apparatus is to combat structural and associated fires.

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

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

96 (iv) An aerial ladder and elevating platform fire  
97 apparatus, which is a vehicle equipped with a permanently mounted,  
98 power-operated aerial ladder or with a passenger carrying platform



99 attached to the uppermost boom of a series of telescoping,  
100 articulating or telescoping and articulating booms and designed to  
101 provide rescue capability from elevated positions and the  
102 positioning of firefighters and elevated master streams for fire  
103 suppression tasks.

104 (c) The requirements of this subsection shall not be  
105 applicable to fire trucks owned by volunteer fire departments.

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

108 63-7-20. (1) It is unlawful for any person, other than a  
109 law enforcement officer on duty or authorized operator of a  
110 publicly owned fire truck with fire apparatus on duty, to use or  
111 display blue lights on a motor vehicle as provided for in Section  
112 63-7-19.

113 (2) It is unlawful for any person to use or display red  
114 lights on a motor vehicle except as provided for in Section  
115 63-7-19. It is not unlawful for the red lights authorized for  
116 private or department-owned vehicles used by firemen of volunteer  
117 fire departments, as provided in Section 63-7-19, to remain  
118 mounted on such vehicles when the lights are not in use.

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

122 (4) A person violating this section is guilty of a  
123 misdemeanor and, upon conviction, shall be punished by a fine



124 of \* \* \* Five Hundred Dollars (\$500.00) and may be imprisoned in  
125 the county jail for a term of not more than six (6) months.

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

128 63-7-13. (1) **Headlamps on motor vehicles.** Every motor  
129 vehicle other than a motorcycle or motor-driven cycle shall be  
130 equipped with at least two (2) headlamps with at least one (1) on  
131 each side of the front of the motor vehicle, which headlamps shall  
132 comply with the requirements and limitations set forth in Section  
133 63-7-31.

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

138 (3) **Rear lamps.** Every motor vehicle, trailer, semitrailer,  
139 pole trailer and any other vehicle which is being drawn in a train  
140 of vehicles shall be equipped with at least one (1) rear lamp  
141 mounted on the rear, which, when lighted, shall emit a red light  
142 plainly visible from a distance of five hundred (500) feet to the  
143 rear. However, any antique automobile, as defined under Section  
144 27-19-47, and any street rod, as defined under Section 27-19-56.6,  
145 may be equipped with one or more rear lamps that have been  
146 modified to emit a blue, violet or purple light resembling rear  
147 lamps appearing on some American automobiles originally  
148 manufactured in the 1940s and 1950s.



149           Either a rear lamp or a separate lamp shall be so constructed  
150 and placed as to illuminate with a white light the rear  
151 registration plate and render it clearly readable from a distance  
152 of fifty (50) feet to the rear. Any rear lamp or tail lamps,  
153 together with any separate lamp for illuminating the rear  
154 registration plate, shall be so wired as to be lighted whenever  
155 the headlamps, cowl lamps or fender lamps are lighted.

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

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

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



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

175           63-7-23. (1) The color of lighting devices shall be as  
176 follows:

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

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

193                   (c) All rear clearance lamps, the side marker lamps on  
194 each side at or near the rear, and any other lamps mounted on the  
195 rear, on any bus, truck, truck tractor, semitrailer, full trailer  
196 or pole trailer shall when lighted display a red color. However,





197 the stoplight or other warning device on the rear of any motor  
198 vehicle may be red or amber.

199 (d) Backing lights of any color may be mounted on the  
200 rear of any motor vehicle if the switch controlling such lights be  
201 so arranged that they may be turned on only when the vehicle is in  
202 reverse gear. Such backing lights when unlighted shall be so  
203 colored or otherwise arranged as not to reflect objectionable  
204 glare in the eyes of drivers of vehicles approaching from the  
205 rear.

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

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

218 (4) Any lamps illuminated when the vehicle is in motion,  
219 other than those expressly required or permitted by the provisions  
220 of this chapter or other law, shall, if visible from the front,  
221 display only a white or amber light; if visible from either side,



222 display an amber light; and if visible from the rear, display a  
223 red light.

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

226 **SECTION 5.** Section 17-23-1, Mississippi Code of 1972, is  
227 amended as follows:

228 17-23-1. (1) There is established the Rural Fire Truck  
229 Acquisition Assistance Program to be administered by the  
230 Department of Insurance for the purpose of assisting counties and  
231 municipalities in the acquisition of fire trucks, firefighting  
232 equipment and/or personal protective equipment and related gear.

233 (2) There is created in the State Treasury a special fund to  
234 be designated as the "Rural Fire Truck Fund." The Legislature may  
235 appropriate that amount necessary to fulfill the obligations  
236 created under this section by the Department of Insurance, from  
237 the State General Fund to such special fund, which sum shall be  
238 added to the remainder of the money transferred on July 1, 1995,  
239 and during the 1996 Regular Session to the Rural Fire Truck Fund.  
240 Unexpended amounts remaining in the fund at the end of a fiscal  
241 year shall not lapse into the State General Fund, and any interest  
242 earned on amounts in the fund shall be deposited to the credit of  
243 the fund. Unobligated amounts remaining in the Rural Fire Truck  
244 Fund, Fund No. 3507, or in Fund No. 3508, or in Fund No. 3504, or  
245 in any fund created for funds appropriated or otherwise made  
246 available for this program, may be used as matching funds by any



247 county with remaining eligibility as provided herein. It is the  
248 intent of the Legislature that the Department of Insurance  
249 continue to accept applications from the counties for fire trucks  
250 as provided in subsection (3) of this section.

251 (3) (a) A county that meets the requirements provided  
252 herein may receive an amount not to exceed \* \* \* Seven Hundred  
253 Twenty Thousand Dollars (\$720,000.00) as provided in subparagraphs  
254 (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x) \* \* \*,  
255 (xi) and (xii) of this paragraph, and such amount shall be divided  
256 as follows: an amount of not more than Fifty Thousand Dollars  
257 (\$50,000.00) per fire truck for the first six (6) trucks and not  
258 more than Seventy Thousand Dollars (\$70,000.00) per fire truck for  
259 the seventh, eighth, ninth, tenth \* \* \*, eleventh and twelfth  
260 trucks. Monies distributed under this chapter shall be expended  
261 only for the purchase of new fire trucks and such trucks must meet  
262 the National Fire Protection Association (NFPA) standards in the  
263 1900 series.

264 (i) Any county that has not applied for a fire  
265 truck under this section is eligible to submit applications  
266 for \* \* \* twelve (12) fire trucks as follows: six (6) fire trucks  
267 at not more than Fifty Thousand Dollars (\$50,000.00) per truck  
268 and \* \* \* six (6) fire trucks at not more than Seventy Thousand  
269 Dollars (\$70,000.00) per truck or a total of \* \* \* Seven Hundred  
270 Twenty Thousand Dollars (\$720,000.00).



271 (ii) Any county that has received one (1) fire  
272 truck under this section is eligible to submit applications  
273 for \* \* \* eleven (11) fire trucks as follows: six (6) fire trucks  
274 at not more than Fifty Thousand Dollars (\$50,000.00) per truck  
275 and \* \* \* six (6) fire trucks at not more than Seventy Thousand  
276 Dollars (\$70,000.00) per truck or a total of \* \* \* Six Hundred  
277 Seventy Thousand Dollars (\$670,000.00).

278 (iii) Any county that has received two (2) fire  
279 trucks under this section is eligible to submit an application  
280 for \* \* \* ten (10) fire trucks as follows: four (4) fire trucks  
281 at not more than Fifty Thousand Dollars (\$50,000.00) per truck  
282 and \* \* \* six (6) fire trucks at not more than Seventy Thousand  
283 Dollars (\$70,000.00) per truck or a total of not more than \* \* \*  
284 Six Hundred Twenty Thousand Dollars (\$620,000.00).

285 (iv) Any county that has received three (3) fire  
286 trucks under this section is eligible to submit an application  
287 for \* \* \* nine (9) fire trucks as follows: three (3) fire trucks  
288 at not more than Fifty Thousand Dollars (\$50,000.00) per truck  
289 and \* \* \* six (6) fire trucks at not more than Seventy Thousand  
290 Dollars (\$70,000.00) per truck or a total of not more than \* \* \*  
291 Five Hundred Seventy Thousand Dollars (\$570,000.00).

292 (v) Any county that has received four (4) fire  
293 trucks under this section is eligible to submit an application  
294 for \* \* \* eight (8) fire trucks as follows: two (2) fire trucks  
295 at not more than Fifty Thousand Dollars (\$50,000.00) per truck



296 and \* \* \* six (6) fire trucks at not more than Seventy Thousand  
297 Dollars (\$70,000.00) per truck or a total of not more than \* \* \*  
298 Five Hundred Twenty Thousand Dollars (\$520,000.00).

299 (vi) Any county that has received five (5) fire  
300 trucks under this section is eligible to submit an application  
301 for \* \* \* seven (7) fire trucks as follows: one (1) fire truck at  
302 not more than Fifty Thousand Dollars (\$50,000.00) per truck  
303 and \* \* \* six (6) fire trucks at not more than Seventy Thousand  
304 Dollars (\$70,000.00) per truck or a total of not more than \* \* \*  
305 Four Hundred Seventy Thousand Dollars (\$470,000.00).

306 (vii) Any county that has received six (6) fire  
307 trucks under this section is eligible to submit an application  
308 for \* \* \* six (6) fire trucks at not more than Seventy Thousand  
309 Dollars (\$70,000.00) per truck or a total of not more than \* \* \*  
310 Four Hundred Twenty Thousand Dollars (\$420,000.00).

311 (viii) Any county that has received seven (7) fire  
312 trucks under this section is eligible to submit an application  
313 for \* \* \* five (5) fire trucks at not more than \* \* \* Three  
314 Hundred Fifty Thousand Dollars (\$350,000.00).

315 (ix) Any county that has received eight (8) fire  
316 trucks under this section is eligible to submit an application  
317 for \* \* \* four (4) fire trucks at not more than \* \* \* Two Hundred  
318 Eighty Thousand Dollars (\$280,000.00).

319 (x) Any county that has received nine (9) fire  
320 trucks under this section is eligible to submit an application



321 for \* \* \* three (3) fire trucks at not more than \* \* \* Two Hundred  
322 Ten Thousand Dollars (\$210,000.00).

323 (xi) Any county that has received ten (10) fire  
324 trucks under this section is eligible to submit an application  
325 for \* \* \* two (2) fire trucks at not more than \* \* \* One Hundred  
326 Forty Thousand Dollars (\$140,000.00).

327 (xi) Any county that has received eleven (11) fire  
328 trucks under this section is eligible to submit an application for  
329 one (1) fire truck at not more than Seventy Thousand Dollars  
330 (\$70,000.00).

331 (b) The board of supervisors of the county shall submit  
332 its request for the receipt of monies to the Department of  
333 Insurance. A committee composed of the Commissioner of Insurance,  
334 the State Fire Coordinator, the Director of the Rating Bureau and  
335 the Director of the State Fire Academy shall review the requests  
336 by the boards of supervisors and shall determine whether the  
337 county or municipality for which the board of supervisors has  
338 requested a truck meets the requirements of eligibility under this  
339 chapter.

340 (c) To be eligible to receive monies under this  
341 chapter:

342 (i) A county or municipality must pledge to set  
343 aside or dedicate each year as matching funds, for a period not to  
344 extend over ten (10) years, local funds in an amount equal to or  
345 not less than one-tenth (1/10) of the amount of monies for which



346 it is requesting distribution from the Rural Fire Truck Fund,  
347 which pledged monies may be derived from local ad valorem tax  
348 authorized by law or from any other funds available to the county  
349 or municipality, except for those funds received by municipalities  
350 or counties from the Municipal Fire Protection Fund or the County  
351 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and  
352 83-1-39.

353 (ii) A municipality must provide adequate  
354 documentation of its contract with the county that requires the  
355 municipality to provide fire protection in rural areas. The term  
356 "rural areas" means any area within the county located outside the  
357 boundaries of an incorporated municipality or any incorporated  
358 municipality with a population of two thousand five hundred  
359 (2,500) or less.

360 (d) The Department of Insurance shall maintain an  
361 accurate record of all monies distributed to counties and  
362 municipalities and the number of fire trucks purchased and the  
363 cost for each fire truck, such records to be kept separate from  
364 other records of the Department of Insurance; notify counties and  
365 municipalities of the Rural Fire Truck Acquisition Assistance  
366 Program and the requirements for them to become eligible to  
367 participate; adopt and promulgate such rules and regulations as  
368 may be necessary and desirable to implement the provisions of this  
369 chapter; and file with the Legislature a report detailing how  
370 monies made available under this chapter were distributed and



371 spent during the preceding portion of the fiscal year in each  
372 county and municipality, the number of fire trucks purchased, the  
373 counties and municipalities making such purchases, \* \* \* the cost  
374 of each fire truck purchased and the equipment/gear purchased  
375 under paragraph (e) of this subsection.

376 (e) Any county participating in any round under this  
377 section may request and receive an amount up to Twenty-five  
378 Thousand Dollars (\$25,000.00) for firefighting equipment and/or  
379 personal protective equipment and related gear.

380 **SECTION 6.** This act shall take effect and be in force from  
381 and after July 1, 2018.

