

Section 102 - Title 75 - VEHICLES - PA General Assembly

§ 102. Definitions.

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"Emergency canteen support service organization vehicle." A vehicle that is:

(1) Owned by a Pennsylvania-registered, not-for-profit corporation, which is authorized to do business within this Commonwealth and has a minimum of two fully functional canteen units and a minimum of one restroom facility vehicle.

(2) Registered with the county emergency dispatch center as an emergency canteen support service vehicle on call 24 hours a day, seven days a week, 52 weeks per year.

(3) Dispatched for emergency service only via the county emergency dispatch center upon request of an emergency provider, whether fire, police, river rescue or other emergency provider.

"Emergency service responder." An individual acting in an official capacity as any of the following:

(1) A police officer.

(2) A sheriff or deputy sheriff.

(3) A coroner or deputy coroner.

(4) A firefighter.

(5) Fire police.

(6) A fire marshal.

(7) A medical examiner or deputy medical examiner.

(8) Rescue personnel.

(9) Ambulance personnel.

(10) Towing and recovery personnel.

(11) Highway maintenance and construction personnel.

(12) Hazardous material response team member.

(13) Emergency medical services personnel.

(14) Contractors or employees of a public utility as defined under 66 Pa.C.S. § 102 (relating to definitions), a municipally owned utility or an electric cooperative as defined in 15 Pa.C.S. Ch. 73 (relating to electric cooperative corporations).

"Emergency vehicle." A State or county emergency management vehicle, fire department vehicle, police vehicle, sheriff vehicle, ambulance, advanced life support squad vehicle, basic life support squad vehicle, emergency canteen support service organization vehicle, blood delivery vehicle, human organ delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or

chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, a vehicle owned by or leased to a regional emergency medical services council that is used as authorized by the Department of Health to respond to an actual or potential disaster, mass casualty situation or substantial threat to public health, a vehicle owned by a county or regional police association and operated by a police officer that is used for police transport or victim extraction, a vehicle that is owned and operated by a county correctional institution in a city of the first class and used to respond to an emergency at a correctional institution in a city of the first class or to escort an ambulance which is transporting sick or injured prisoners in a city of the first class, any vehicle operated by a special agent, special agent supervisor, narcotics agent or narcotics agent supervisor while performing official duties as employees of the Office of Attorney General, any vehicle owned and operated by the Philadelphia Parking Authority established in accordance with 53 Pa.C.S. Ch. 55 (relating to parking authorities) and used in the enforcement of 53 Pa.C.S. Ch. 57 (relating to taxicabs and limousines in first class cities), a vehicle owned and operated by the Pennsylvania Turnpike Commission that is used by an emergency service responder as dispatched by the Pennsylvania Turnpike Commission's traffic operations center, or any other vehicle designated by the State Police under section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately owned vehicle used in answering an emergency call when used by any of the following:

- (1) A police chief and assistant chief.
- (2) A fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief.
- (3) A fire police captain and fire police lieutenant.
- (4) An ambulance corps commander and assistant commander.
- (5) A river rescue commander and assistant commander.
- (6) A county emergency management coordinator.
- (7) A fire marshal.
- (8) A rescue service chief and assistant chief.
- (9) The chief or operations director of a county hazardous materials response team.

SUBCHAPTER D
EQUIPMENT OF AUTHORIZED AND
EMERGENCY VEHICLES

Sec.

- 4571. Visual and audible signals on emergency vehicles.
- 4572. Visual signals on authorized vehicles.
- 572.1. Flashing or revolving yellow and white lights.
- 4572.2. Solid waste collection vehicles.
- 4573. Identification of certain vehicles.

4571. Visual and audible signals on emergency vehicles.

(a) General rule.--Every emergency vehicle shall be equipped with one or more revolving or flashing red lights and an audible warning system. Spotlights with adjustable sockets may be attached to or mounted on emergency vehicles.

(b) Police, sheriff, fire and coroner or medical examiner vehicles.--

(1) Police, sheriff, coroner, medical examiner or fire police vehicles may in addition to the requirements of subsection (a) be equipped with one or more revolving or flashing blue lights. The combination of red and blue lights may be used only on police, sheriff, coroner, medical examiner or fire police vehicles.

(2) Unmarked police and sheriff vehicles used as emergency vehicles and equipped with audible warning systems shall be equipped with the lights described in this subsection.

(b.1) Mounted lights and additional equipment.--

(1) Police, sheriff and fire vehicles may be equipped with a mounted rack containing one or more emergency warning lights or side mounted floodlights or alley lights or all such lights in conformance with department regulations.

(1.1) Nothing contained in the regulations under paragraph (1) may be construed to require a limit, modification or change of the lighting in police, sheriff and fire vehicles legally complying with regulations as of the date of enactment of this paragraph as long as the vehicle is used as an emergency vehicle.

(2) Additional visual or audible warning signal equipment, including, but not limited to, flashing headlamp system, flashing or revolving white or clear lights, steady burning lights, traffic-control emergency directional light assembly, amber lights and intersection lights, may be utilized on emergency vehicles in accordance with regulations promulgated by the department.

(3) The department may not prohibit the use of flashing or revolving lights mounted internally in the passenger compartment

of fire department vehicles or privately owned vehicles used in answering an emergency call when used by a fire police captain, fire police lieutenant, fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief that comply with the department's regulations.

(3.1) Police and sheriff vehicles may be equipped with flashing red and blue lights in reverse lamp assemblies.

(3.2) Emergency vehicles, other than police vehicles, may be equipped with flashing red lights in reverse lamp assemblies.

(4) On an annual basis, but no later than April 1 of each year, the State Fire Commissioner may recommend to the department any changes or challenges to the emerging technology of the flashing or revolving lights mounted internally or externally in privately owned vehicles of volunteer firefighters when used in answering an emergency call. The department, in consultation with the Pennsylvania State Police, shall review the recommendations and may promulgate any necessary regulations on the use, type and installation of the emerging technology.

(b.2) Police officer special emergency response team members.--A privately owned vehicle used in responding to an emergency under 42 Pa.C.S. § 8953 (relating to Statewide municipal police jurisdiction) by a police officer who is also a member of a county or regional special emergency response team shall be equipped with revolving or flashing red lights and an audible warning system in accordance with subsection (a) subject to the lights and audible warning system being returned to the head of the special emergency response team upon termination of a person's active status as a police officer or active member of a special emergency response team.

(c) Game Commission vehicles.--(Repealed).

(c.1) Public Utility Commission vehicles.--Vehicles owned or operated by the Pennsylvania Public Utility Commission and used in the enforcement of 66 Pa.C.S. Chs. 23 (relating to common carriers) and 25 (relating to contract carrier by motor vehicle and broker) may be equipped with revolving or flashing red lights in accordance with subsection (a).

(d) Vehicles prohibited from using signals.--Except as otherwise specifically provided in this section, no vehicle other than an emergency vehicle may be equipped with revolving or flashing lights or audible warning systems identical or similar to those specified in subsections (a) and (b). A person who equips or uses a vehicle with visual or audible warning systems in violation of this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$500 nor more than \$1,000.

(e) Authorized period of use.--The lights and warning systems specified by this section may be used only during an

emergency, or in the interest of public safety, or by police officers, sheriffs and deputy sheriffs in enforcement of the law. Unauthorized use of the lights and warning systems specified by this section shall be a summary offense punishable by a fine of not less than \$500 nor more than \$1,000.

(f) Conformity with department regulations.--Except as provided under subsections (b.1)(1.1) and (b.2), all equipment authorized or required by this section shall conform to department regulations.

4572. Visual signals on authorized vehicles.

(a) Flashing or revolving blue lights.--Ambulance personnel, volunteer firefighters, certified volunteer search and rescue organization members and owners and handlers of dogs used in tracking humans may each equip one motor vehicle with no more than two flashing or revolving blue lights.

(1) In order to be eligible to display lights on their vehicles under this subsection, the names of the ambulance personnel, volunteer firefighters and certified volunteer search and rescue organization members shall be submitted to the nearest station of the Pennsylvania State Police on a list signed by the chief of the ambulance or fire department or company, the head of the search and rescue organization, and each dog owner and handler shall register at the nearest Pennsylvania State Police station.

(2) The manner in which the lights are displayed and their intensity shall be determined by regulation of the department.

(2.1) Nothing contained in the regulations under paragraph (2) shall be construed to require a limit, modification or change of the lighting in vehicles legally complying with regulations as of the date of enactment of this paragraph as long as the vehicle is used in a manner that otherwise complies with this section.

(3) The lights shall be operable by the driver from inside the vehicle.

(4) The lights may be used only while en route to or at the scene of a fire or emergency call.

(5) The lights shall be removed from the vehicle immediately upon receipt of notice from the chief of the ambulance or fire department or company or the head of the search and rescue organization to remove the lights upon termination of the person's status as an active volunteer firefighter or ambulance person or upon termination of the person's active status as a certified volunteer search and rescue organization member or dog owner or handler, or when the vehicle is no longer used in connection with the person's duties as a volunteer firefighter or ambulance person, certified

volunteer search and rescue organization member or dog owner or handler.

(6) This subsection does not relieve the driver from the duty to drive with due regard for the safety of all persons nor exempt the driver from complying with all provisions of this title.

(b) Flashing or revolving yellow lights.--Vehicles authorized pursuant to the provisions of sections 6106 (relating to designation of emergency vehicles by Pennsylvania State Police) and 6107 (relating to designation of authorized vehicles by department), tow trucks and vehicles used for snow removal may be equipped with one or more flashing or revolving yellow lights. The manner in which the light or lights shall be displayed and the intensity shall be determined by regulation of the department.

(c) Vehicles prohibited from using lights.--No vehicle other than a duly authorized vehicle may be equipped with lights identical or similar to those specified in subsections (a) and (b). A person who equips or uses a vehicle with visual systems in violation of this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$100 nor more than \$500.

(June 26, 2001, P.L.734, No.75, eff. 60 days; Nov. 29, 2006, P.L.1449, No.159, eff. 60 days; July 8, 2016, P.L.477, No.75, eff. 60 days)

2016 Amendment. Act 75 added subsec. (a)(2.1).

2006 Amendment. Act 159 amended subsec. (a).

3105. Drivers of emergency vehicles.

(a) General rule.--The driver of an emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm or other emergency call, may exercise the privileges set forth in this section, but subject to the conditions stated in this section.

(b) Exercise of special privileges.--The driver of an emergency vehicle may:

(1) Park or stand, irrespective of the provisions of this part.

(2) Proceed past a red signal indication or stop sign, but only after slowing down as may be necessary for safe operation, except as provided in subsection (d).

(3) Exceed the maximum speed limits so long as the driver does not endanger life or property, except as provided in subsection (d).

(4) Disregard regulations governing direction of movement, overtaking vehicles or turning in specified directions.

(c) Audible and visual signals required.--The privileges granted in this section to an emergency vehicle shall apply only when the vehicle is making use of an audible signal and visual signals meeting the requirements and standards set forth in regulations adopted by the department.

(d) Ambulances, blood delivery vehicles and human organ delivery vehicles.--The driver of an ambulance, blood delivery vehicle or human organ delivery vehicle shall comply with maximum speed limits, red signal indications and stop signs. After ascertaining that the ambulance, blood delivery vehicle or human organ delivery vehicle will be given the right-of-way, the driver may proceed through a red signal indication or stop sign.

(d.1) Vehicles owned and operated by a county correctional institution in a city of the first class.--The driver of a vehicle that is owned and operated by a county correctional institution in a city of the first class and used to respond to an emergency at a correctional institution in a city of the first class or to escort an ambulance which is transporting a sick or injured prisoner in a city of the first class shall comply with maximum speed limits, red signal indications and stop signs. After ascertaining that the vehicle will be given the right-of-way, the driver may proceed through a red signal indication or stop sign.

(e) Exercise of care.--This section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

(f) Pedalcycles.--No part of this section shall be construed to restrict the operation of a pedalcycle used by a police

officer or a bike medic during the course of performing official duties.

(g) Emergency vehicle preemption devices.--

(1) The department may promulgate regulations for the operation and use of preemptive traffic devices by emergency vehicles.

(2) An individual other than authorized emergency personnel who operates or uses a preemptive traffic device commits a misdemeanor of the third degree.

(3) The possession of a preemptive traffic device by an individual who is not an authorized user of the device is prohibited. The device if in the possession of a nonauthorized user shall be deemed contraband and shall be seized by a law enforcement officer.

(h) Limitations relating to school buses.--Notwithstanding the provisions of subsection (b) (4), the driver of an emergency vehicle shall come to a complete stop when a school bus flashes its red signal lights and activates its side stop signal arms. After stopping, the driver of the emergency vehicle may pass the school bus only after exercising due diligence and caution for the safety of the students in a manner that will not risk the safety of the students.

(i) Definition.--As used in this section, the term "bike medic" means an individual who:

(1) operates a pedalcycle and is certified by the Department of Health as an emergency medical services provider;

(2) is a member of an emergency medical services agency licensed by the Department of Health and operating within the scope of practice of an emergency medical services provider, as applicable;

(3) has successfully completed a basic emergency medical services cycling program approved by the Department of Health;

(4) wears emergency first responder appropriate attire for operating upon the highways in accordance with national standards; and

(5) makes use of an appropriate visual and audible warning device in the performance of official duties.

(May 9, 1986, P.L.158, No.51, eff. 60 days; Dec. 15, 1995, P.L.655, No.72, eff. 60 days; June 26, 2001, P.L.734, No.75, eff. 60 days; July 15, 2004, P.L.694, No.75, eff. 60 days; June 17, 2016, P.L.338, No.44, eff. 60 days; July 8, 2016, P.L.477, No.75, eff. 60 days)

2016 Amendments. Act 44 amended subsec. (f) and added subsec. (i) and Act 75 added subsec. (d.1).

2004 Amendment. Act 75 added subsec. (h).

3325. Duty of driver on approach of emergency vehicle.

(a) General rule.--Upon the immediate approach of an emergency vehicle making use of an audible signal and visual signals meeting the requirements and standards set forth in regulations adopted by the department, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the emergency vehicle has passed, except when otherwise directed by a police officer or an appropriately attired person authorized to direct, control or regulate traffic. On one-way roadways a driver may comply by driving to the edge or curb which is nearest to the lane in which he is traveling.

(b) Duty of operator of streetcar.--Upon the approach of an emergency vehicle, the operator of every streetcar shall immediately stop the streetcar clear of any intersection and remain in that position until the emergency vehicle has passed, except when otherwise directed by a police officer or an appropriately attired person authorized to direct, control or regulate traffic.

(c) Defense.--It is a defense to prosecution under this section if the defendant can show by a preponderance of the evidence that the failure to stop immediately for a police officer was based on a good faith concern for personal safety. In determining whether the defendant has met this burden, the court may consider the following factors:

- (1) The time and location of the event.
- (2) The type of vehicle used by the police officer.
- (3) The defendant's conduct while being followed by the police officer.
- (4) Whether the defendant stopped at the first available reasonably lighted or populated area.
- (5) Any other factor considered relevant by the court.

(June 26, 2001, P.L.734, No.75, eff. 60 days)

Cross References. Section 3325 is referred to in sections 3327, 3732, 3732.1 of this title.

3327. Duty of driver in emergency response areas and in relation to disabled vehicles.

(a) Emergency response areas.--When approaching or passing an emergency response area, a person, unless otherwise directed by an emergency service responder, shall:

- (1) pass in a lane not adjacent to that of the emergency response area, if possible; or
- (2) if passing in a nonadjacent lane is impossible, illegal or unsafe, pass the emergency response area at a speed of no more than 20 miles per hour less than the posted speed limit and reasonable for safely passing the emergency response area.

(a.1) Disabled vehicles.--When approaching or passing a disabled vehicle, a person shall:

- (1) if it is possible to do so, pass in a lane not adjacent to that of the disabled vehicle; or
- (2) if it is impossible, illegal or unsafe to comply with paragraph (1), pass the disabled vehicle at a rate of speed that is no more than 20 miles per hour less than the posted speed limit and reasonable for safely passing the disabled vehicle.

(b) Penalty.--Any person violating subsection (a) or (a.1) commits a summary offense and shall, upon conviction, pay:

- (1) For a first offense, a fine of not more than \$500.
- (2) For a second offense, a fine of not more than \$1,000.
- (3) For a third or subsequent offense, a fine of not more than \$2,000.

(b.1) Suspension of operating privilege.--

(1) Except as otherwise provided in paragraph (2), in accordance with section 1540 (relating to surrender of license), the department shall suspend the operating privilege of any person for 90 days upon receiving a certified record of the driver's conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program for a violation of subsection (a) or (a.1), if the certified conviction:

- (i) indicates the violation resulted in serious bodily injury to or death of another person; or
- (ii) is the driver's third or subsequent conviction for a violation of subsection (a) or (a.1).

(2) Upon receiving a certified record of the driver's conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program for a violation of subsection (a) or (a.1), in accordance with section 1540, the department shall suspend the operating privilege of the driver in accordance with the following:

- (i) For a period of six months if the certified conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program indicates the violation

resulted in the serious bodily injury of an emergency service responder or a person in or near a disabled vehicle.

(ii) For a period of one year if the certified conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program indicates the violation resulted in the death of an emergency service responder or a person in or near a disabled vehicle.

(b.2) Penalties for bodily injury or death in emergency response areas.--In addition to any other penalty prescribed by law, a driver who violates subsection (a) and causes bodily injury to, serious bodily injury to or the death of an emergency service responder or another person commits an offense and shall, upon conviction, as follows:

(1) For causing bodily injury as defined in 18 Pa.C.S. § 2301 (relating to definitions), pay a fine of not more than \$1,000.

(2) For causing serious bodily injury, pay a fine of not more than \$5,000.

(3) For causing death, pay a fine of not more than \$10,000.

(b.3) Penalties for bodily injury or death in relation to disabled vehicles.--In addition to any other penalty prescribed by law, a driver who violates subsection (a.1) and causes bodily injury to, serious bodily injury to or the death of another person commits an offense:

(1) For causing bodily injury as defined in 18 Pa.C.S. § 2301, pay a fine of not more than \$1,000.

(2) For causing serious bodily injury as defined in 18 Pa.C.S. § 2301, pay a fine of not more than \$5,000.

(3) For causing death, pay a fine of not more than \$10,000.

(c) Marking.--

(1) An emergency response area shall be clearly marked with road flares, caution signs or any other traffic-control device which law enforcement officials may have at their immediate disposal or visual signals on vehicles meeting the requirements of Subchapter D of Chapter 45 (relating to equipment of authorized and emergency vehicles).

(2) A disabled vehicle shall use at least two of the following markings:

(i) Vehicular hazard signal lamps as provided in section 4305 (relating to vehicular hazard signal lamps).

(ii) Caution signs or other traffic-control device.

(iii) Road flares.

(d) Reports by emergency service responders.--

(1) An emergency service responder observing a violation of subsection (a) or (a.1) may prepare a written, signed report which indicates that a violation has occurred. To the extent possible, the report shall include the following information:

(i) Information pertaining to the identity of the alleged violator.

(ii) The license number and color of the vehicle involved in the violation.

(iii) The time and approximate location at which the violation occurred.

(iv) Identification of the vehicle as an automobile, station wagon, motor truck, motor bus, motorcycle or other type of vehicle.

(2) Within 48 hours after the violation occurs, the emergency service responder shall deliver a copy of the report to a police officer having authority to exercise police power in the area where the violation occurred. If the police officer believes that the report established a sufficient basis for the issuance of a citation, the officer shall file a citation and a copy of the report with the issuing authority. If the issuing authority determines that the report and citation establish a sufficient basis for the issuance of a summons, a summons shall be issued in accordance with general rules governing the institution of proceedings in summary traffic offense cases. The issuing authority shall send the defendant a copy of the citation, together with a statement that it was filed by the police officer named in the citation on the basis of information received.

(3) A person may institute a proceeding pursuant to this subsection or in accordance with any means authorized by the Pennsylvania Rules of Criminal Procedure.

(e) Fines to be doubled.--In addition to any penalty as provided in subsections (b), (b.2) and (b.3), the fine for any of the following violations when committed in an emergency response area manned by emergency service responders shall be double the usual amount:

Section 3102 (relating to obedience to authorized persons directing traffic).

Section 3111 (relating to obedience to traffic-control devices).

Section 3114 (relating to flashing signals).

Section 3302 (relating to meeting vehicle proceeding in opposite direction).

Section 3303 (relating to overtaking vehicle on the left).

Section 3304 (relating to overtaking vehicle on the right).

Section 3305 (relating to limitations on overtaking on the left).

Section 3306 (relating to limitations on driving on left side of roadway).

Section 3307 (relating to no-passing zones).

Section 3310 (relating to following too closely).

Section 3312 (relating to limited access highway entrances and exits).

Section 3323 (relating to stop signs and yield signs).

Section 3325 (relating to duty of driver on approach of emergency vehicle).

Section 3361 (relating to driving vehicle at safe speed).

Section 3707 (relating to driving or stopping close to fire apparatus).

Section 3710 (relating to stopping at intersection or crossing to prevent obstruction).

Section 3714 (relating to careless driving).

Section 3736 (relating to reckless driving).

Section 3802 (relating to driving under influence of alcohol or controlled substance).

(e.1) Public awareness.--The department shall educate the public of the provisions of this section periodically throughout the year and maintain information on the department's publicly accessible Internet website. The department shall refer to the education effort as the "Move Over" campaign.

(f) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Disabled vehicle." A vehicle that is in a traffic lane or on the side of a traffic lane and is clearly marked with at least two of the markings specified in subsection (c)(2).

"Emergency response area." Any of the following:

(1) The area in which emergency service responders render emergency assistance to individuals on or near a roadway or a police officer is conducting a traffic stop or systematic check of vehicles or controlling or directing traffic as long as the emergency vehicle is making use of visual signals meeting the requirements of Subchapter D of Chapter 45.

(2) The area in which contractors or employees of a public utility, a municipally owned utility or an electric cooperative provide disaster emergency-related services, including, but not limited to, the repair, renovation, installation, construction and activities related to damaged, impaired or destroyed infrastructure, within the first 72 hours after a declared emergency or until the expiration of a declared emergency, whichever is later, as long as the vehicles used to provide disaster emergency-related services are making use of visual signals as authorized under section 4572(b) (relating to visual signals on authorized vehicles).

3102. Obedience to authorized persons directing traffic.

No person shall willfully fail or refuse to comply with any lawful order or direction of:

- (1) any uniformed police officer, sheriff or constable or, in an emergency, a railroad or street railway police officer;
- (2) any appropriately attired person, including an agent or employee of the funeral director during a funeral, authorized to direct, control or regulate traffic;
- (3) any employee who has been trained in traffic control by a licensed and insured private security company and who is acting in the scope of employment; or
- (4) any driver of a certified escort vehicle as defined under section 3108 (relating to drivers of certified escort vehicles) and who is acting in the capacity as a driver of a certified escort vehicle.

3346. Emergency vehicles entering or leaving official garage.

If an emergency vehicle is leaving or returning to its garage and the emergency lights of the emergency vehicle are engaged, the driver of an approaching vehicle shall stop and give the emergency vehicle the right-of-way to leave or enter the garage and may not proceed until the emergency vehicle is safely out of the driver's path.

3707. Driving or stopping close to fire apparatus.

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or stop the vehicle within 500 feet of any fire apparatus stopped in answer to a fire alarm.

3708. Unauthorized driving over fire hose.

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any highway, private road or driveway, for use at any fire or alarm of fire, without the consent of a fire department officer, a police officer or other appropriately attired person authorized to direct, control or regulate traffic at the scene.

3111.1. Obedience to traffic-control devices warning of hazardous conditions.

(a) General rule.--The driver of any vehicle, unless otherwise directed by an emergency service responder, shall not drive past, around or through a sign or traffic-control device closing a road or highway due to an existing or potentially hazardous condition.

(b) Penalty.--Any person violating this section commits a summary offense and shall, upon conviction, pay a fine of not more than \$250 unless the violation results in the utilization of the services of a first responder or emergency medical or rescue personnel, including towing services, in which case the fine shall be increased to not less than \$250 nor more than \$500.

(c) Emergency response costs.--A person convicted of violating this section shall, in addition to any other sentence imposed or restitution ordered under 42 Pa.C.S. § 9721(c) (relating to sentencing generally), be sentenced to pay restitution in an amount equal to the cost of fire and police response and emergency medical service or emergency preparedness response resulting from the offense.
(July 5, 2012, P.L.1003, No.114, eff. 60 days)

HEALTH AND SAFETY (35 PA.C.S.) AND VEHICLE CODE (75 PA.C.S.) -
OMNIBUS AMENDMENTS

Act of Aug. 18, 2009, P.L. 308, No. 37

Cl. 35

Session of 2009
No. 2009-37

§ 8122. Emergency medical services vehicle operators.

(a) Certification.--An EMS vehicle operator certification shall be permanent, subject to disciplinary action under this section. The department shall certify as an EMS vehicle operator a person who meets all of the following:

(1) Completes an application for an EMS vehicle operator certification on a form or through an electronic application process, as prescribed by the department.

(2) Is at least 18 years of age.

(3) Has a current license to operate the vehicle.

(4) Is not addicted to alcohol or drugs.

(5) Is free from physical or mental defect or disease that may impair the person's ability to drive an EMS vehicle.

(6) Has successfully completed an emergency vehicle operator's course of instruction approved by the department.

(7) Has not:

(i) Been convicted within the last four years prior to the date of application of driving under the influence of alcohol or drugs.

(ii) Within the last two years prior to the date of application, been convicted of reckless driving or had a driver's license suspended due to use of drugs or alcohol or a moving traffic violation.

(8) Has successfully completed an emergency vehicle operator's course of instruction approved by the department following a disqualification from certification under paragraph (7), regardless of whether the person successfully completed the course previously.

(b) Registration.--An EMS vehicle operator, other than an EMS vehicle operator who operates a vehicle exclusively for a QRS, shall register the EMS vehicle operator's certification. An EMS vehicle operator who operates an EMS vehicle exclusively for a QRS shall have no registration requirements. Except as otherwise provided in this subsection, an EMS vehicle operator's certification shall be deemed registered for three years after issuance. An EMS vehicle operator may not operate a ground EMS vehicle unless the certification is currently registered. The following shall apply:

(1) The department shall issue a registration of an EMS vehicle operator's certification to an EMS vehicle operator who meets all of the following:

(i) Completes an application for registration on a form or through an electronic application process, as prescribed by the department.

(ii) Has a current registration and applies for a new registration no later than 30 days before the current registration is to expire or within a lesser time period as the department may establish by regulation.

(iii) Has a current license to operate the vehicle.

(iv) Successfully completes continuing education credits for EMS vehicle operators as required by the department in continuing education programs approved by the department.

(2) If a person who is issued an EMS vehicle operator's certification also has an EMS provider's certification, the registration of the EMS vehicle operator's certification shall expire at the same time as the registration of the EMS provider's certification. If the person does not maintain current registration of the EMS provider's certification, the registration of the EMS vehicle operator's certification shall continue on the same renewal cycle. If an EMS vehicle operator who is an EMS provider becomes certified as a higher-level EMS provider, the registration of the EMS vehicle operator's certification shall expire at the same time as the registration of the higher-level EMS provider's certification.

(3) If an EMS provider's certification is subject to a biennial registration cycle, the continuing education requirements for the registration of the EMS vehicle operator's certification following the initial registration of the certification shall be prorated based upon the month in which the EMS provider became certified, with any fractional requirement rounded down.

(4) An EMS vehicle operator whose registration of an EMS vehicle operator's certification has expired shall qualify for a biennial registration of the certification as prescribed by regulation of the department.

(c) Transition for EMS vehicle operators.--An individual who served as an EMS vehicle operator prior to the effective date of this section and who satisfies the EMS vehicle operator's certification requirements under subsection (a) may serve as an EMS vehicle operator for 90 days after the effective date of this section without having secured a certification as an EMS vehicle operator.

(d) Grounds for discipline.--The department may suspend or revoke or, as applicable, refuse to issue an EMS vehicle operator's certification for any of the following reasons:

(1) Lack of physical or mental ability to operate an EMS vehicle.

(2) Deceptive or fraudulent procurement or representation of certification or registration credentials or for making misleading, deceptive or untrue representations to secure a certification or registration.

(3) The operation of an emergency vehicle in a reckless manner or while under the influence of alcohol, illegal drugs or the knowing abuse of legal drugs.

(4) Having a driver's license suspended due to use of alcohol or drugs or a moving traffic violation.

(5) Conviction of a felony or crime involving moral turpitude. For the purposes of this paragraph, a conviction includes a judgment of guilt, a plea of guilty or a plea of nolo contendere.

(6) Failing to perform a duty imposed upon an EMS vehicle operator under this chapter or a related regulation.

(7) Other reasons as determined by the department which pose a threat to the health and safety of the public.

(e) Suspension of certification.--If the department suspends a certification, it may also impose conditions for the lifting of the suspension, including requiring the person to successfully repeat an emergency vehicle operator's course approved by the department.

(f) Reporting responsibilities and automatic suspension.--An EMS vehicle operator shall report to the department within 30 days a suspension of that person's driver's license or a conviction of reckless driving, a felony, a misdemeanor or any other crime that is not a summary offense or equivalent. For a conviction of driving under the influence of alcohol or drugs or reckless driving or for suspension of a driver's license, the certification shall automatically be suspended for the periods of time specified in subsection (a) (7).

(g) Change of address.--

(1) An EMS vehicle operator and an applicant for an EMS vehicle operator's certification shall ensure that the department has the current address at which the person can be reached by mail at all times.

(2) Neither an EMS vehicle operator's home address, telephone number nor any other residential contact information provided to the department shall be deemed a public record.

CHAPTER 173. FLASHING OR REVOLVING LIGHTS ON EMERGENCY AND AUTHORIZED VEHICLES

Sec.

- 173.1. [Purpose.](#)
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- 173.3. [Display requirements.](#)
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- 173.5. [Light activation indicator.](#)
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Authority

The provisions of this Chapter 173 issued under the Vehicle Code, 75 Pa.C.S. § 4103, unless otherwise noted.

Source

The provisions of this Chapter 173 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131, unless otherwise noted.

Cross References

This chapter cited in 67 Pa. Code § 15.2 (relating to types of authorized vehicles); 67 Pa. Code § 175.2 (relating to definitions); 67 Pa. Code § 175.66 (relating to lighting and electrical systems); 67 Pa. Code § 175.96 (relating to lighting and electrical systems); 67 Pa. Code § 175.146 (relating to lighting and electrical systems); and 67 Pa. Code § 175.175 (relating to lighting and electrical systems).

§ 173.1. Purpose.

This chapter pertains to the nature, display, color, minimum performance standards and configuration of flashing, oscillating or revolving lights that are permissible for display by emergency and authorized vehicles.

Authority

The provisions of this § 173.1 amended under the Vehicle Code, 75 Pa.C.S. §§ 4571, 4572 and 6103.

Source

The provisions of this § 173.1 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131; amended November 5, 1993, effective November 6, 1993, 23 Pa.B. 5309; amended July 13, 2007, effective July 14, 2007, 37 Pa.B. 3242. Immediately preceding text appears at serial page (317449).

§ 173.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Authorized vehicle—The term as defined in 75 Pa.C.S. § 102 (relating to definitions).

Emergency vehicle—The term as defined in 75 Pa.C.S. § 102.

Flash—An intermittent burst of light.

Flash rate—The rate of flash, revolution or oscillation per minute of a single light, when that light is observed from a fixed position.

Flashing headlamp system—A system designed to automatically flash the high intensity—high beam—portion of the headlamps of a vehicle in either an alternate or simultaneous flash. The system shall be designed so that activation of the high intensity—high beam—portion of the standard headlamp system overrides the flashing headlamp system.

Flashing light—A light designed to flash by current interruption, or by other means providing an intermittent change in intensity when the light is observed from a fixed position.

Hazard warning system—Driver-controlled flashing front and rear lights used to warn approaching motorists when a vehicle is broken down or is traveling at a slow speed.

Intersection light—A flashing red, blue, white, or clear light used as part of a flashing, oscillating, or revolving light system to enhance the visibility of an

emergency vehicle from the front and side as it approaches or travels through an intersection.

Light activation indicator—An audible signal or an illuminated switch or pilot light which provides the driver of an emergency or authorized vehicle with a clearly audible or visible and continual indicator that a flashing or revolving light, flashing headlamp system, traffic control emergency directional light or authorized nonflashing or nonrevolving light is activated.

Light-bar assembly—A device or devices designed and constructed to provide and display more than one steady burning, flashing, oscillating or revolving light.

Oscillating light—A light designed to flash by movement back and forth between two or more points, including the alternation between the maximum and minimum voltage.

Revolving light—A light designed to give the appearance of flashing by its rotation around a fixed axis through a 360° arc, on a horizontal plane.

Single light—A device containing one or more lenses, lamps or bulbs which are designed to produce, when viewed from a fixed position or point, the appearance of one flashing or revolving beam of light.

Traffic control emergency directional light assembly—A device electronically designed to display amber or yellow warning signal lights in a distinctive motion-lighting pattern—arrow left, arrow right, center out or alternately flashing—to warn motorists that they are approaching a hazard or to direct them around an impending hazard.

Unmarked police vehicle—A police vehicle not equipped with a roof-mounted light-bar assembly. The vehicle may display graphics, markings or decals, identifying the agency or department.

Authority

The provisions of this § 173.2 amended under the Vehicle Code, 75 Pa.C.S. §§ 4571, 4572 and 6103.

Source

The provisions of this § 173.2 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131; amended May 12, 1978, effective May 13, 1978, 8 Pa.B. 1329; amended November 5, 1993, effective November 6, 1993, 23 Pa.B. 5309; amended July 13, 2007, effective July 14, 2007, 37 Pa.B. 3242. Immediately preceding text appears at serial pages (317449) to (317450).

§ 173.3. Display requirements.

(a) *Color.* White, clear, red, blue, amber or yellow are the only colors permitted for use in flashing or revolving lights.

(1) *Chromaticity coordinates.* A flashing, revolving or oscillating light must meet or exceed the Chromaticity Coordinates, CIE 1931, Standard Colorimetric System as provided in SAE Standard J578d, Color Specification for Electrical Signal Lighting Devices, September 1978 or subsequent SAE Standards. This requirement does not apply to flashing headlamp systems.

(2) *Red lights.* A vehicle may display red lights as provided by 75 Pa.C.S. § 4571 (relating to visual and audible signals on emergency vehicles).

(3) *Blue lights.* A vehicle may display blue lights as provided for by 75 Pa.C.S. § 4572(a) (relating to visual signals on authorized vehicles). Vehicles described in 75 Pa.C.S. § 4572(a) may be equipped with a light-bar assembly using only blue lights. See Figure 3.1.

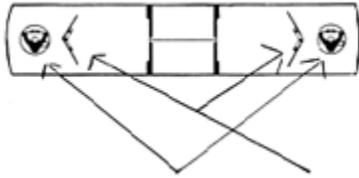
(4) *Combination red-and-blue lights.* Vehicles listed under 75 Pa.C.S. § 4571(b) may display combination red-and-blue lights. The privately-owned vehicles defined as an emergency vehicle under 75 Pa.C.S. § 102 (relating to definitions) must be equipped under 75 Pa.C.S. § 4571(a).

(5) *Yellow or amber lights.* A vehicle may display yellow or amber lights as follows:

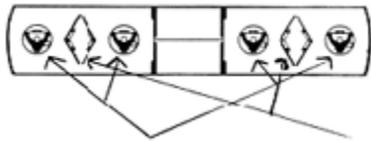
(i) Under 75 Pa.C.S. § 4572(b), an authorized vehicle as defined in 75 Pa.C.S. § 102 and designated in Chapter 15 (relating to authorized vehicles and special operating privileges) may be equipped with flashing or revolving yellow or amber lights or one or more light-bar assemblies containing only yellow or amber lights. See Figure 3.1.

FIGURE 3.1

ILLUSTRATIONS OF LIGHT-BAR ASSEMBLIES *



Rotating halogen lamps—“V” mirrors
(contains two single lights)



Rotating halogen lamps—“diamond” mirrors
(contains four single lights)

* THESE ILLUSTRATIONS REPRESENT TWO COMMON MODELS OF LIGHT-BAR ASSEMBLIES. OTHER LIGHT-BAR ASSEMBLIES MAY BE USED.

(ii) An authorized vehicle which is used in the construction, repair or maintenance of a bridge or highway maybe equipped with traffic control emergency directional light assemblies.

(iii) Emergency vehicles may be equipped with yellow or amber lights, in addition to traffic control emergency directional light assemblies. The yellow or amber lights shall be mounted on the rear of the vehicle or face rearward so that they are visible from behind the vehicle.

(6) *White or clear lights.* In addition to flashing or revolving red or combination red-and-blue lights, an emergency vehicle may be equipped with a flashing headlamp system and no more than one flashing, revolving or oscillating white or clear light, or with a light-bar assembly containing no more than three flashing, revolving or oscillating white or clear lights. The vehicle may also be equipped with additional preemptive traffic control devices.

(i) When the light-bar assembly contains three flashing, revolving or oscillating white or clear lights, the center light must be mounted to flash white or clear light only to the front.

(ii) When the vehicle is stationary, the light-bar assembly may not display white or clear light to the rear.

(iii) Flashing, revolving or oscillating white or clear lights and flashing headlamp systems may only be used in conjunction with the flashing or revolving red or combination red-and-blue lights. Flashing, revolving or oscillating white or clear lights and flashing headlamp systems that are not used in conjunction with flashing or revolving red or combination red-and-blue lights do not constitute visual signals under 75 Pa.C.S. § § 3325 and 4571 (relating to duty of driver on approach of emergency vehicle; and visual and audible signals on emergency vehicles).

(7) *Steady burning lights.* Red, blue, amber or yellow nonflashing or nonrevolving lights—steady burning lights—may be used in conjunction with flashing or revolving lights.

(8) *Utility lights.* Clear or white forward or side facing steady burning utility lights (that is, take down, alley, spotlight) may not be used as a visual signal for purposes of 75 Pa.C.S. § 3325. These lights may be used while the vehicle is in motion or stationary for the purpose of an emergency, for the safety of the public, or in the enforcement of the law.

(9) *Other lights.* A vehicle, other than those identified in this chapter, may not be equipped with lights or systems identical or similar to those specified by this subsection, except that school buses and urban mass transit buses which will be used for carrying school children may be equipped with flashing lights as permitted by 75 Pa.C.S. § § 4552(b) and 4553(a) (relating to general requirements for school buses; and general requirements for other vehicles transporting school children), and Chapters 15 and 171 (relating to school buses; and school buses and school vehicles).

(10) *Hazard warning systems and turn signals.* Hazard warning systems and turn signals are not considered flashing lights for the purposes of this chapter.

(b) *360° visibility.* Except for unmarked police vehicles, when flashing or revolving red, blue, yellow or amber lights are mounted on a vehicle, one or more of these lights shall be mounted to provide visibility to vehicles approaching from any direction (360° visibility), regardless of the method of mounting.

(1) When only one light is used to provide 360° visibility, this light must be in compliance with SAE Standard J845, 360° Emergency Warning Lamps, May 1997, or subsequent SAE Standards.

(2) When more than one light is used to provide 360° visibility, the number of lights used may not exceed those specified in 75 Pa.C.S. § § 4571 and 4572.

(c) *Visibility for unmarked police vehicles.* When the combination of lights are mounted on an unmarked police vehicle, these lights shall be mounted to provide visibility to vehicles approaching from the front and rear, regardless of the method of mounting.

(d) *Flash rate.* The flash rate, when observed from a fixed position, must be between 60 and 260 flashes per minute. When the flash rate is produced by the interruption of current, the period of illumination must be long enough to permit the bulb to come to full brightness.

(e) *Mounting location.* The following applies to mounting locations for flashing or revolving lights:

(1) *Emergency vehicles, except police vehicles.* Flashing or revolving lights, excluding flashing headlamp systems, may be permanently mounted on the vehicle or attached to a mounting device, in a workmanlike manner, in the following locations only:

(i) On a cab or roof of the vehicle.

(ii) No more than 18 inches above the highest fixed point of the vehicle.

(iii) Behind, in front of, or on the grille of emergency vehicles. A flashing light may be mounted so as to flash through or in front of the grille on emergency vehicles when the vehicle is also equipped with one or more flashing or revolving red lights that meet the 360° visibility requirements of subsection (b).

(iv) With respect to fender intersection lights, close to the front upper edge of each front fender of an emergency vehicle and not protruding more than 2 inches from the fender.

(v) Inside of existing vehicular lighting modules/assemblies, such as headlights, parking lights, taillights. This does not include reverse lights.

(A) This subsection does not apply to privately owned vehicles that otherwise qualify as emergency vehicles as defined in 75 Pa.C.S. § 102.

(B) Vehicles mounting lights as outlined in this subsection must also mount, in another location, flashing or revolving lights that meet the 360° visibility requirements. This does not include reverse lights.

(2) *Police vehicles.* Flashing or revolving lights may be permanently mounted on the vehicle or attached to a mounting device, in a workmanlike manner, in the following locations only:

(i) On a cab or roof of the vehicle.

(ii) No more than 18 inches above the highest fixed point of the vehicle.

(iii) With respect to combination red-and-blue lights only, behind, in front of, or on the grille. Police vehicles mounting lights as outlined in this subsection must also mount flashing or revolving lights in another location visible from the front of the vehicle.

(iv) Inside the passenger compartment, clearly visible through the front windshield. (See original equipment manufacturer for mounting locations.)

(v) Inside the passenger compartment, clearly visible through the rear window.

(vi) In or on the trunk lid.

(vii) Inside of existing vehicular lighting modules/assemblies, such as headlights, parking lights, taillights (not including reverse lights). Police vehicles mounting lights as outlined in this subsection must also mount, in another location, flashing or revolving lights visible from the front and rear of the vehicle.

(viii) With respect to flashing lights only, within the nondriver's compartment-side window.

(ix) With respect to combination red-and-blue lights, in a location visible from the front and rear of the vehicle.

(x) With respect to fender intersection lights, close to the front upper edge of each front fender of a police vehicle and not protruding more than 2 inches from the fender.

(xi) With respect to motorcycles, at a location in accordance with the manufacturer's specifications.

(3) *Authorized vehicles.*

(i) Flashing or revolving lights may be permanently mounted on the vehicle or attached to a mounting device, in the following locations only:

(A) On a cab, cab protector or roof of the vehicle.

(B) No more than 18 inches above the highest fixed point of the vehicle.

(C) On the front or rear of the bed or body of an authorized vehicle.

(D) On the tailgate of an authorized vehicle.

(E) In a location other than as set forth in clauses (A)—(D) as needed to comply with the 360° requirement in subsection (b).

(ii) The installation or use of additional flashing or strobe lights in existing vehicular lighting modules/assemblies, such as headlights, parking lights, taillights, is expressly prohibited.

(4) *Traffic control emergency directional light assemblies.* Traffic control emergency directional light assemblies may not interfere with permanently installed lights. These assemblies may be permanently mounted on the vehicle or attached to a mounting device, in a workmanlike manner, in a location visible to approaching traffic.

(f) *Mounting devices.* Flashing or revolving lights, excluding flashing headlamp systems, grille-mounted flashing lights and intersection lights, may be mounted on one of the following devices:

(1) A magnetic base.

(2) A roof rack, light-bar or other device that is welded or bolted onto the vehicle, or is mounted on the vehicle by using suction cups equipped with nylon or steel straps and clips which hook onto the drip rail or molding.

(3) A self-leveling gimbal device.

(4) Grommet mounting is acceptable for flush mounted flashing lights.

Authority

The provisions of this § 173.3 amended under the Vehicle Code, 75 Pa.C.S. §§ 4571, 4572 and 6103.

Source

The provisions of this § 173.3 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131; amended May 12, 1978, effective May 13, 1978, 8 Pa.B. 1329; amended March 27, 1981, effective March 28, 1981, 11 Pa.B. 1100; amended August 14, 1981, effective August 15, 1981, 11 Pa.B. 2856; amended November 5, 1993, effective November 6, 1993, 23 Pa.B. 5309; amended July 13, 2007, effective July 14, 2007, 37 Pa.B. 3242. Immediately preceding text appears at serial pages (317450) and (250323) to (250327).

Cross References

This section cited in 67 Pa. Code § 179.10 (relating to general conditions).

§ 173.4. Wiring.

Wiring shall be installed using the industry's best practices.

- (1) Wiring must be primary SAE rated and be of proper gauge to handle applied load. Ground wiring must be of equal gauge.
- (2) Wiring may not be loaded to more than 80% of its rated capacity.
- (3) The wiring must be permanently installed and routed through the vehicle in a manner to avoid short circuits or interfering with the operation of the vehicle.
- (4) Grommets shall be used when wires pass through bulkheads and other sharp metal surfaces.
- (5) Each accessory will be protected with the proper circuit protection as recommended by the manufacturer (that is, fuses or circuit breakers). The main circuit protection will be as close to the power source as possible.
- (6) Additional wiring installed for emergency equipment may not impede or compromise the original equipment manufacturer circuits or original equipment manufacturer equipment functions as intended by the vehicle manufacturer.

(7) Tapping power off of original equipment manufacture circuits, such as in fuse blocks, must be only as recommended by the vehicle manufacturer. Tapping power off air bag or ABS brake and brake light circuits is prohibited.

(8) These requirements do not apply to flashing or revolving lights that are attached to a vehicle with a magnetic base.

Authority

The provisions of this § 173.4 amended under the Vehicle Code, 75 Pa.C.S. §§ 4571, 4572 and 6103.

Source

The provisions of this § 173.4 adopted October 21, 1977, effective October 22, 1977, 7 Pa.B. 3131; amended May 12, 1978, effective May 13, 1978, 8 Pa.B. 1329; amended March 27, 1981, effective March 28, 1981, 11 Pa.B. 1101; amended November 5, 1993, effective November 6, 1993, 23 Pa.B. 5309; amended July 13, 2007, effective July 14, 2007, 37 Pa.B. 3242. Immediately preceding text appears at serial page (250327).

§ 173.5. Light activation indicator.

Emergency and authorized vehicles which are equipped with lights or light systems provided for in this chapter shall also be equipped with a light activation indicator which will automatically activate whenever a flashing or revolving light, flashing headlamp system, traffic control emergency directional light or authorized nonflashing or nonrevolving light is engaged.

Source

The provisions of this § 173.5 adopted November 5, 1993, effective November 6, 1993, 23 Pa.B. 5309.

§ 173.6. Nonconforming or authorized lighting systems.

A violation of this chapter is a summary offense and subject to sanctions imposed under 75 Pa.C.S. § 6502(b) (relating to summary offenses). Under 75 Pa.C.S. § 6104(c) (relating to administrative duties of department), the Department of Transportation may make necessary and reasonable investigations to procure information required to enforce this chapter.

Source

The provisions of this § 173.6 adopted November 5, 1993, effective November 6, 1993, 23 Pa.B. 5309.