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SENATE BILL NO. 437
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Transportation
on _____)
(Patron Prior to Substitute—Senator Bagby)

A BILL to amend and reenact § 46.2-1025 of the Code of Virginia, relating to amber and green warning lights; snow plows and vehicles equipped with truck-mounted attenuators.

Be it enacted by the General Assembly of Virginia:

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

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

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

- 1. Vehicles used for the principal purpose of towing or servicing disabled vehicles;
- 2. Vehicles used in constructing, maintaining, and repairing highways or utilities on or along public highways, or in assisting with the management of roadside and traffic incidents, or performing traffic management services along public highways;
- 3. Vehicles used for the principal purpose of removing hazardous or polluting substances from state waters and drainage areas on or along public highways, or state vehicles used to perform other state-required environmental activities, provided that the amber lights are not lit while the vehicle is in motion;
- 4. Vehicles used for servicing automatic teller machines, provided the amber lights are not lit while the vehicle is in motion;
- 5. Vehicles used in refuse collection, provided the amber lights are lit only when the vehicles are engaged in refuse collection operations;
- 6. Vehicles used by individuals for emergency snow-removal purposes;
- 7. Hi-rail vehicles, provided the amber lights are lit only when the vehicles are operated on railroad rails;
- 8. Fire apparatus and emergency medical services vehicles, provided the amber lights are used in addition to lights permitted under § 46.2-1023 and are so mounted or installed as to be visible from behind the vehicle;
- 9. Vehicles owned and used by businesses providing security services, provided the amber lights are not lit while the vehicle is being operated on a public highway;
- 10. Vehicles used to collect and deliver the United States mail, provided the amber lights are lit only when

31 the vehicle is actually engaged in such collection or delivery;

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

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

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

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

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

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

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

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

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

52 20. Vehicles used by municipal safety officers in the performance of their official duties. For the purpose
53 of this subdivision, "municipal safety officers" means municipal employees responsible for managing
54 municipal safety programs and ensuring municipal compliance with safety and environmental regulatory
55 mandates;

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

59 22. Vehicles used in patrol work by members of neighborhood watch groups approved by the chief law-

60 enforcement officer of the locality in their assigned neighborhood watch program area, provided that the
61 vehicles are clearly identified as neighborhood watch vehicles, and the amber lights are not lit while the
62 vehicle is in motion;

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

66 24. Vehicles used or operated by federally licensed amateur radio operators (i) while participating in
67 emergency communications or drills on behalf of federal, state, or local authorities or (ii) while providing
68 communications services to localities for public service events authorized by the Department of
69 Transportation where the event is being conducted;

70 25. Publicly owned or operated transit buses;

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

73 27. Vehicles authorized to use amber lights pursuant to § 46.2-1025.1; and

74 28. Vehicles used by a local department of social services to respond to a request for assistance from law-
75 enforcement agency personnel.

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

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

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

85 *E. Snow plows used for clearing or removing snow on or along public highways and vehicles equipped*
86 *with a truck-mounted attenuator that are used in constructing, maintaining, and repairing highways or*
87 *utilities on or along public highways may be equipped with and use either (i) flashing, blinking, or*
88 *alternating amber warning lights of types approved by the Superintendent or (ii) alternating amber and green*
89 *warning lights of a type approved by the Superintendent. Except as otherwise provided in this section, such*

90 *warning lights shall be lit only when performing the functions that qualify them to be equipped with such*
91 *lights. If a vehicle is equipped with multiple warning lights authorized pursuant to clause (ii), such lights*
92 *shall be used synchronously with each other.*