

By Mr. Cahir of Bourne, petition of Thomas S. Cahir relative to the display of red and blue lights on motor vehicles. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT RELATIVE TO THE DISPLAY OF RED AND BLUE LIGHTS ON MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 90 of the General Laws is hereby amended by striking
2 out section 7E and inserting in place thereof the following
3 section: —

4 Section 7E. No motor vehicle operated pursuant to section
5 seven other than fire apparatus, ambulances, school buses,
6 vehicles specified in section seven D used for transporting school
7 children, and vehicles specified in section seven I shall mount or
8 display a flashing, rotating or oscillating red or red and white light
9 in any direction, except as herein provided; provided, however,
10 that nothing in this section shall prohibit an official police vehicle
11 from displaying a flashing, rotating or oscillating red or red and
12 white light in the opposite direction in which the vehicle is
13 proceeding or prohibit fire apparatus from displaying a flashing,
14 rotating or oscillating blue or blue and white light in the opposite
15 direction in which the vehicle is proceeding.

16 A vehicle owned or operated by a forest warden, deputy forest
17 warden, a chief or deputy chief of a municipal fire department,
18 a chaplain of a municipal fire department, a member of a fire
19 department of a town or a call member of a fire department or
20 a member or a call member of an emergency medical service may
21 have mounted thereon flashing, rotating or oscillating red or red
22 and white lights. Such lights shall only be displayed when such
23 owner or operator is proceeding to a fire or in response to an alarm

24 and when the official duty of such owner or operator requires him
25 to proceed to said fire or to respond to said alarm, and at no other
26 time.

27 No such red or red and white lights shall be mounted or
28 displayed on such vehicle until proper application has been made
29 to the registrar by the head of the fire department and a written
30 permit has been issued and delivered to the owner and operator.
31 In the event that the operator is not the registered owner of the
32 vehicle, no permit shall be issued until said owner forwards to the
33 registrar a written statement certifying that he has knowledge that
34 such red or red and white light will be mounted and displayed
35 on said vehicle.

36 Any person operating a vehicle upon which flashing, rotating
37 or oscillating red or red and white lights herein authorized are
38 mounted shall have the permit for said lights upon his person or
39 in the vehicle in some easily accessible place. Upon termination
40 of the duties which warranted the issuance of the permit, the head
41 of the fire department shall immediately notify the registrar who
42 shall forthwith revoke such red or red and white light permit.
43 Upon the written request of the chief of police or chief of fire
44 department of the town in which such permitted vehicle is
45 registered, the registrar may revoke such permit. The registrar
46 shall revoke such permit for the unauthorized use of such red or
47 red and white lights and the owner and operator shall be subject
48 to a fine as hereinafter provided.

49 Upon revocation, the registrar of motor vehicles shall notify
50 forthwith the owner and operator of the vehicle for which such
51 permit was issued and the head of the police department and fire
52 department of the town in which his original permit was issued.

53 No motor vehicle except (i) a vehicle used solely for official
54 business by any police department of the commonwealth or its
55 political subdivisions or by any railroad police department or
56 college or university police department whose officers are
57 appointed as special police officers by the commissioner of public
58 safety pursuant to section ten G of chapter one hundred and forty-
59 seven and subject to such special rules and regulations applicable
60 to such college or university police department as the registrar may
61 prescribe, (ii) a vehicle owned and operated by a police officer
62 of any town or any agency of the commonwealth while on official

63 duty and when authorized by the officer's police chief or agency
64 head and only by authority of a permit issued by the registrar,
65 (iii) a vehicle operated by a duly appointed medical examiner or
66 a physician or surgeon attached to a police department of any city
67 or town only while on official duty and only by authority of a
68 permit issued by the registrar, (iv) a vehicle operated by a police
69 commissioner of a police department of any city only while on
70 official duty and only by authority of a permit issued by the
71 registrar, (v) a vehicle actually being used for the transportation
72 of persons who are under arrest, or in lawful custody under
73 authority of any court, or committed to penal or mental
74 institutions, and only by authority of a permit issued by the
75 registrar, or (vi) a vehicle operated by a chaplain of a municipal
76 police department while on official duty and only by authority
77 of a permit issued by the registrar shall mount or display a
78 flashing, rotating or oscillating blue or blue and white light in any
79 direction. No motor vehicle, as hereinbefore provided, requiring
80 a permit from the registrar, shall mount or display a blue or blue
81 and white light on such vehicle until proper application has been
82 made to the registrar by the head of the police department and
83 until such written permit has been issued and delivered to the
84 owner and operator. Such notice shall include the place of
85 residence and address of the owner and operator of the vehicle
86 for which such permit is issued and the name of the make, vehicle
87 identification number and the registration number of the vehicle
88 for which such permit authorizes the display of blue or blue and
89 white lights. Any person operating a vehicle upon which blue or
90 blue and white lights have been authorized to be mounted or
91 displayed, by permit, shall carry such permit for said lights upon
92 his person or in the vehicle in some easily accessible place. Upon
93 termination of the duties of such person which warranted the
94 issuance of the permit, the chief of police shall immediately notify
95 the registrar, who shall forthwith revoke such blue or blue and
96 white permit. Upon written request of the chief of police of the
97 town in which such permitted vehicle is registered the registrar
98 may revoke such permit. The registrar shall revoke such permit
99 for the unauthorized use of such blue or blue and white lights and
100 the owner and operator shall be subject to a fine as hereinafter
101 provided. Upon revocation, the registrar of motor vehicles shall

102 notify forthwith the owner and operator of the vehicle for which
103 such permit was issued and the head of the police department of
104 the city or town in which such permitted vehicle is registered.
105 Upon receipt of his notice of revocation, such owner and operator
106 shall forthwith deliver such blue and blue and white light permit
107 to the registrar and he shall not be eligible for reissuance of such
108 permit without consent of the head of the police department of
109 the town in which his original permit was issued. Nothing in this
110 section shall authorize any owner or operator to disregard or
111 violate any statute, ordinance, by-law, rule or regulation regarding
112 motor vehicles or their use on ways of the commonwealth. The
113 registrar may also make such rules and regulations governing or
114 prohibiting the display of such other lights on motor vehicles as
115 he may deem necessary for public safety.

116 Any person who violates any provision of this section for which
117 a penalty is not otherwise provided shall be subject to a fine of
118 not less than one hundred dollars, nor more than three hundred
119 dollars.