

# **House Bill 1409**

## **39-10-03.3.**

1. There needs to be a classification to help identify security vehicles when they are using emergency lights while on patrol on their property. Currently, amber lights are widely used by many different vehicles such as construction, maintenance, mail carriers, utility companies, garbage truck, snowplows, and tow trucks, so the use of the amber light no longer indicates a sense of urgency, but more of caution.

2. This law will make a uniform standard for Security vehicles operating in the state of North Dakota while performing their duties, necessary because the number of security guards and security vehicles visible in malls, parks, schools, and business is larger than we have seen in the past.

3. When someone needs assistance from security in areas such as a park or mall parking lot, and they see an amber light, people commonly assume it's a construction or maintenance vehicle. By changing security vehicle lights to half green and half amber, the public will quickly understand, even from a distance, that they are being approached by a security vehicle and that assistance is nearby.

4. If the security company chooses to use emergency lights on their vehicles they must follow these rules to use them. The vehicle must be clearly marked on both sides and the rear with the words PRIVATE SECURITY, SECURITY PATROL, or the name of the security company.

5. The emergency lights must be half green and half amber on their security vehicle. If they have a mini lightbar that has two lights, one must be green and one amber; or if they have a larger lightbar on the vehicle, such as eight lights, four must be green and four must be amber.

6. There are states in this country that have successfully enacted laws pertaining to security vehicles using emergency lights similar to the half green and half amber concept.

7. Security vehicles using these special lights will not be allowed to exceed the speed limit, nor endanger life, or property. The use of these lights does not entitle them to the same privileges as recognized emergency vehicles, such as Police, Fire, or Ambulance. When security vehicles travel outside of the property they are protecting, they cannot use their emergency lights, but will need to keep their lights off any time they are driving on public roads.

8. When I was on vacation in Florida, I needed security help to locate a parking section. The security vehicles were very visible as they had a full-size lightbar on their vehicle with the lights on a cruise mode, which is when the corner lights are on at 50% power and in cruise mode. Security was very easy to spot in a crowded parking lot.

Any Questions?

## **39-10-26.**

Vehicle to Stop or yield the right of way for authorized emergency vehicle or vehicle used for maintaining the state highway system.

This section is just cleaning up some wording. In the last session, we changed the definition of a Class A emergency vehicle and this has the same wording as that section 39-10-03.

We are just adding oscillating and the steady red or red and blue lamp to this section to have penalty apply to these uses of emergency lights. We not changing the fine or points, just the wording.

Any Questions

## **39-21-26**

### **Special restrictions on lamps.**

2. No person may drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying a Flashing, Revolving, Rotating, Oscillating, or Steady red, blue or green light, which is visible from directly in front of the center thereof. This section does not apply to any vehicle upon which a red light visible from the front is expressly authorized or required by this chapter.

1. There has been a marked increase of people, mostly teenagers, installing lights on their vehicles to make it look “cooler”, but when traveling on public roads and highways it can be very confusing to other motorists, who are now aware that the vehicle approaching them is not an emergency vehicle.

I have had two encounters with vehicles displaying these lights. I was driving in Minot on 16<sup>th</sup> Street Northwest and I looked in my rearview mirror and saw a blue light coming from the vehicle bumper and hood. Assuming it was Minot rural firefighter going to an emergency call, I pulled over to let them by, only to discover that it was a teenaged driver using them to get the car in front of him to pull over. As soon as my vehicle started pulling over he quickly turned them off.

The other was also in Minot on 16<sup>th</sup> Street by the mall. A car with red lights coming from their bumper approached from behind, so I pulled over to let them by. When they passed, I realized it was another teenager who had these steady red installed front to back and on both sides of the vehicle.

I called the police on both incidents and later found out that the second vehicle with the red lights on it was pulled over by the City of Minot Police Department for having the red lights on.

2. This needs to be addressed because of serious concern for public safety. The average motorist is trained to believe that the lights indicate that there is an emergency vehicle. The public is going to do the right thing and pull over. Once they realize that the lights may not actually, indicate an emergency but someone impersonating an emergency vehicle, the public may cease to pull over, impacting the ability of legitimate emergency vehicles to get by.
3. By adding Flashing, Revolving, Rotating, Oscillating, or Steady and Blue Light to the Special Restriction on Lamps, along with Red and Green, it will make it easier for law enforcement to enforce these violations.

Any Questions?



















