

Testimony
HB1241
Senate Transportation Committee
February 21st 2025
Brian Barrett
ND Towing Association

Chairman Clemens and members of the Senate Transportation Committee my name is Brian Barrett and I represent the ND Towing Association. Although I'm here today in a neutral capacity on HB1241, I would like to offer an amendment relating to emergency vehicles warning lamps.

The amendment I'm proposing allows the use of flashing blue lights on a vehicle owned by a commercial towing company used for towing purposes. Prior to introducing this amendment, it was shared with the ND Highway Patrol, and they do not oppose the language or the concept.

This amendment would allow flashing blue lights when the tow truck is stopped or parked alongside a road or highway. The use of flashing blue lights would be prohibited during the transportation process.

One of the major benefits of flashing blue lights is that they are highly visible at night and during inclement weather. In addition, studies show an increase in caution when flashing blue lights are visible. It seems that amber colored lights "blend" with other lights making traffic less responsive. Nationally, 1 tow truck driver is killed every 6 days while operating alongside a road or highway.

This amendment is proposed solely for the safety of the tow truck operator as we believe it can lessen the chance of a tragic event.

Thank you for your time and consideration of this amendment.

Sincerely,
Brian Barrett,
ND Towing Association

25.0586.01000

Sixty-ninth Legislative Assembly
of North Dakota

HOUSE BILL NO. 1241

Introduced by
Representatives Satrom, Ostlie
Senator Conley

A BILL for an Act to amend and reenact section 39-21-26 of the North Dakota Century Code; relating to special restrictions on lamps on motor vehicles or equipment.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA: SECTION 1.
AMENDMENT.

Section 1. Amendment. Section 39-21-26 of the North Dakota Century Code is amended and reenacted as follows:

39-21-26. Special restrictions on lamps.

1. Any lighted lamp or illuminating device ~~upon~~ on a motor vehicle, other than headlamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and schoolbus warning lamps, which projects a beam of light of an intensity greater than three hundred candlepower must be ~~so~~ directed so that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet [22.86 meters] from the vehicle.

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

3. Flashing lights are prohibited except on an authorized:

- a. An authorized emergency vehicle, ~~schoolbus, snow-removal equipment;~~
- b. A schoolbus;
- c. Snow - removal equipment;
- d. A vehicle owned by a funeral home while used for the purpose of escorting a funeral procession; or ~~on any~~

e. Any vehicle as a means of indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking, or passing.

d. Vehicle owned by a commercial towing company specifically used for towing purposes. Flashing Blue lights can be activated when the tow vehicle is stopped or parked alongside a road or highway. The use of flashing blue lights is prohibited during the transportation process or when traveling on a road or highway.