

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1293

5 By: Representative Vaught
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LIGHTING REQUIREMENTS FOR A MOTOR
9 VEHICLE USED AS A WRECKER OR TOW VEHICLE; AND FOR
10 OTHER PURPOSES.
11

Subtitle

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14 TO AMEND THE LIGHTING REQUIREMENTS FOR A
15 MOTOR VEHICLE USED AS A WRECKER OR TOW
16 VEHICLE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-77-201(b), concerning the unlawful
22 possession, purchase, sale, or transfer of a blue light or blue lens cap, is
23 amended to read as follows:

24 (b) Before selling a blue light or blue lens cap, the seller shall
25 require the buyer to provide identification that legally demonstrates that
26 the buyer is:

- 27 (1) a law enforcement officer;
- 28 (2) An auxiliary law enforcement officer;~~or;~~
- 29 (3) a county coroner; or
- 30 (4) A person licensed by the Arkansas Towing and Recovery Board
31 to perform towing services under § 27-50-1203.

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33 SECTION 2. Arkansas Code § 5-77-201(f), concerning the unlawful
34 possession, purchase, sale, or transfer of a blue light or blue lens cap is
35 amended to read as follows:

36 (f) This section does not apply to the following persons if acting



1 with a lawful purpose:

2 (1) An in-state or out-of-state law enforcement officer or
3 auxiliary law enforcement officer;

4 (2) A county coroner;

5 (3) A person employed by an in-state, ~~or~~ out-of-state, or
6 federal agency who is operating a vehicle equipped with a blue light or blue
7 lens cap during the course and scope of his or her employment; ~~or~~

8 (4) A legitimate seller or vendor of blue lights or blue lens
9 caps; or

10 (5) A person licensed by the Arkansas Towing and Recovery Board
11 who is operating a wrecker or tow vehicle equipped with a blue light or blue
12 lens cap within the scope of his or her employment.

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14 SECTION 3. Arkansas Code § 27-51-905(c), concerning the use of
15 flashing emergency lights by emergency vehicles, is amended to read as
16 follows:

17 (c)(1) A motor vehicle used as a wrecker or tow vehicle permitted or
18 licensed under § 27-50-1203 may be equipped with:

19 (A) ~~amber~~ Amber flashing or rotating emergency or warning
20 lights;

21 (B) Blue flashing or rotating emergency or warning lights;

22 or

23 (B) Both amber and blue rotating emergency or warning
24 lights.

25 (2) ~~that~~ The lights authorized under subdivision (c)(1) of this
26 section shall be displayed only during hazardous use in order that other
27 motorists and the public are aware of the special or hazardous use of the
28 wrecker or tow vehicle and exercise caution in approaching the wrecker or tow
29 vehicle at all times while the amber or blue flashing or rotating emergency
30 or warning lights are in operation.

31 ~~(2)(3)~~ Equipage with or display of amber or blue flashing or
32 rotating emergency or warning lights does not qualify a motor vehicle used as
33 a wrecker or tow vehicle as an emergency vehicle.

34 ~~(3)(4)~~(A) Red flashing or rotating emergency or warning lights
35 on a motor vehicle used as a wrecker or tow vehicle shall be operated only
36 while the wrecker or tow vehicle is stopped on or within ten feet (10') of a

1 public way and engaged in recovery or loading and hooking up an abandoned,
2 unattended, disabled, or wrecked vehicle.

3 (B) A wrecker or tow vehicle shall not operate forward-
4 facing red flashing or rotating emergency or warning lights while underway,
5 except as may be expressly authorized or required by law otherwise.

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