

1 SB192  
2 204876-1  
3 By Senators Stutts, Butler, Holley, Whatley, Shelnut,tt,  
4 Beasley, Sanders-Fortier, Singleton, Williams, Ward, Reed and  
5 Allen  
6 RFD: Governmental Affairs  
7 First Read: 13-FEB-20

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8       SYNOPSIS:               Under existing law, only authorized  
9                               emergency vehicles may use emergency lights when  
10                              responding to an emergency.

11                             Also under existing law, the driver of an  
12                             authorized emergency vehicle may disregard certain  
13                             traffic laws when responding to an emergency.

14                             This bill would authorize volunteer  
15                             firefighters to operate an authorized volunteer  
16                             firefighter vehicle to respond to an emergency and  
17                             would authorize the vehicle to be equipped with red  
18                             flashing lights.

19                             This bill would also authorize the driver of  
20                             the authorized volunteer firefighter vehicle to  
21                             disregard certain traffic laws while responding to  
22                             an emergency.

23                             Amendment 621 of the Constitution of Alabama  
24                             of 1901, now appearing as Section 111.05 of the  
25                             Official Recompilation of the Constitution of  
26                             Alabama of 1901, as amended, prohibits a general  
27                             law whose purpose or effect would be to require a

1 new or increased expenditure of local funds from  
2 becoming effective with regard to a local  
3 governmental entity without enactment by a 2/3 vote  
4 unless: it comes within one of a number of  
5 specified exceptions; it is approved by the  
6 affected entity; or the Legislature appropriates  
7 funds, or provides a local source of revenue, to  
8 the entity for the purpose.

9 The purpose or effect of this bill would be  
10 to require a new or increased expenditure of local  
11 funds within the meaning of the amendment. However,  
12 the bill does not require approval of a local  
13 governmental entity or enactment by a 2/3 vote to  
14 become effective because it comes within one of the  
15 specified exceptions contained in the amendment.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT

20  
21 Relating to motor vehicles; to add Section 32-5A-7.1  
22 to the Code of Alabama 1975, to authorize volunteer  
23 firefighters to operate authorized volunteer firefighter  
24 vehicles under certain conditions; to authorize the vehicles  
25 to be equipped with emergency lights; to grant certain  
26 operating privileges to the driver of an authorized volunteer  
27 firefighter vehicle during an emergency; and in connection

1 therewith would have as its purpose or effect the requirement  
2 of a new or increased expenditure of local funds within the  
3 meaning of Amendment 621 of the Constitution of Alabama of  
4 1901, now appearing as Section 111.05 of the Official  
5 Recompilation of the Constitution of Alabama of 1901, as  
6 amended.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 32-5A-7.1 is added to the Code of  
9 Alabama 1975, to read as follows:

10 §32-5A-7.1.

11 (a) For the purposes of this section, the following  
12 terms shall have the following meanings:

13 (1) AUTHORIZED VOLUNTEER FIREFIGHTER VEHICLE. Any  
14 privately owned vehicle driven by a volunteer firefighter as  
15 approved by the fire chief, or his or her designee, of the  
16 respective certified volunteer fire department, as defined in  
17 Section 9-3-17.

18 (2) COURTESY LIGHT. At least one lighted lamp  
19 attached to an authorized volunteer firefighter vehicle that  
20 exhibits a red color under normal atmospheric conditions from  
21 a distance of 500 feet to the front of the vehicle to request  
22 right-of-way in order to expedite a response to an emergency.

23 (3) EMERGENCY. A call for response dispatched by an  
24 authorized local government agency.

25 (4) VOLUNTEER FIREFIGHTER. Any volunteer member of a  
26 certified volunteer fire department, as that term is defined  
27 in Section 9-3-17.

1 (b) An authorized volunteer firefighter vehicle is  
2 not an authorized emergency vehicle, as that term is defined  
3 in Section 32-1-1.1.

4 (c) The driver of an authorized volunteer  
5 firefighter vehicle, when responding to an emergency and while  
6 making use of courtesy lights, may exercise the following  
7 privileges:

8 (1) Park or stand, irrespective of the provisions of  
9 this chapter;

10 (2) Exceed the maximum speed limits so long as he or  
11 she does not endanger life or property.

12 (3) Disregard traffic laws governing direction of  
13 movement or turning in specified directions.

14 (d) The driver of an authorized volunteer  
15 firefighter vehicle may not use any of the privileges set  
16 forth in subsection (c) upon returning from the emergency.

17 (e) Nothing in this section shall relieve the driver  
18 of an authorized volunteer firefighter vehicle from the duty  
19 to drive with due regard for the safety of all persons, nor  
20 shall anything in this section protect the driver of an  
21 authorized volunteer firefighter vehicle from the consequences  
22 of his or her reckless disregard for the safety of others.

23 (f) The driver of an authorized volunteer  
24 firefighter vehicle shall do all of the following:

25 (1) Maintain in the authorized volunteer firefighter  
26 vehicle a letter of approval from the fire chief of his or her  
27 respective volunteer fire department, or his or her designee,

1 dated within the last six months identifying the driver as a  
2 current volunteer firefighter.

3 (2) Equip the authorized volunteer firefighter  
4 vehicle with no more than two courtesy lights on the front and  
5 two courtesy lights on the rear.

6 (3) Ensure the authorized volunteer firefighter  
7 vehicle is not equipped with a siren, bell, ululating  
8 multi-toned horns, or other electronic siren type devices.

9 (g) The following automobile insurance minimum  
10 requirements shall apply to any authorized volunteer  
11 firefighter vehicle:

12 (1) Primary automobile liability insurance in the  
13 amount of at least fifty thousand dollars (\$50,000) for death  
14 and bodily injury per person, one hundred thousand dollars  
15 (\$100,000) for death and bodily injury per incident, and fifty  
16 thousand dollars (\$50,000) for property damage.

17 (2) All other state mandated coverage for motor  
18 vehicles, including the requirements under the Motor Vehicle  
19 Safety-Responsibility Act of Chapter 7.

20 (h) If a driver of an authorized volunteer  
21 firefighter vehicle operates the vehicle in a manner not  
22 authorized by this section and is convicted of a violation of  
23 this title, the driver shall be assessed a fine double the  
24 amount prescribed by law.

25 Section 2. Although this bill would have as its  
26 purpose or effect the requirement of a new or increased  
27 expenditure of local funds, the bill is excluded from further

1 requirements and application under Amendment 621, now  
2 appearing as Section 111.05 of the Official ReCompilation of  
3 the Constitution of Alabama of 1901, as amended, because the  
4 bill defines a new crime or amends the definition of an  
5 existing crime.

6 Section 3. This act shall become effective on the  
7 first day of the third month following its passage and  
8 approval by the Governor, or its otherwise becoming law.