

5/9/14

4:59 P.M.

Chapter No. 461  
16/SS01/R68SG  
LR 10/1/13

**SENATE BILL NO. 2032**

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2032

AN ACT TO AMEND SECTION 63-7-19, MISSISSIPPI CODE OF 1972, TO ALLOW ANY NONLAW ENFORCEMENT VEHICLE BEING USED TO LEAD AND FACILITATE THE MOVEMENT OF A MILITARY FUNERAL PROCESSION TO BE MARKED WITH BLINKING, ROTATING OR OSCILLATING PURPLE LIGHTS; TO AMEND SECTION 63-7-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY LAMPS VISIBLE FROM THE FRONT OF A VEHICLE, AND ILLUMINATED WHEN THE VEHICLE IS IN MOTION, SHALL DISPLAY ONLY A WHITE OR AMBER LIGHT UNLESS OTHERWISE REQUIRED OR PERMITTED BY LAW; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 49 EAST IN LEFLORE COUNTY, MISSISSIPPI, AS THE HIGHWAY PATROLMAN TOMMY E. KENDALL MEMORIAL HIGHWAY; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 63-7-19, Mississippi Code of 1972, is amended as follows:

63-7-19. (1) (a) Except as otherwise provided for unmarked vehicles under Section 19-25-15 and Section 25-1-87, every police vehicle shall be marked with blue lights. Every ambulance and special use EMS vehicle as defined in Section 41-59-3 shall be marked with red lights front and back and also may be marked with white and amber lights in addition to red lights. Every emergency management/civil defense vehicle, including emergency response

vehicles of the Department of Environmental Quality, shall be marked with blinking, rotating or oscillating red lights. Official vehicles of a 911 Emergency Communications District may be marked with red and white lights. Every wrecker or other vehicle used for emergency work, except vehicles authorized to use blue or red lights, shall be marked with blinking, oscillating or rotating amber-colored lights to warn other vehicles to yield the right-of-way, as provided in Section 63-3-809. Only police vehicles used for emergency work may be marked with blinking, oscillating or rotating blue lights to warn other vehicles to yield the right-of-way. Only law enforcement vehicles, fire vehicles, private or department-owned vehicles used by firemen of volunteer fire departments which receive funds pursuant to Section 83-1-39 when responding to calls, emergency management/civil defense vehicles, emergency response vehicles of the Department of Environmental Quality, ambulances used for emergency work, and 911 Emergency Communications District vehicles may be marked with blinking, oscillating or rotating red lights to warn other vehicles to yield the right-of-way. This section shall not apply to school buses carrying lighting devices in accordance with Section 63-7-23.

(b) Emergency response vehicles listed in this subsection (1) are also authorized to use alternating flashing headlights when responding to any emergency.

(2) Any vehicle operated by a United States rural mail carrier for the purpose of delivering United States mail may be marked with two (2) amber-colored lights on front top of the vehicle and two (2) red-colored lights on rear top of the vehicle and alternatively or additionally may be marked with a white, flashing strobe light on the roof of the vehicle so as to warn approaching travelers to decrease their speed because of danger of colliding with the mail carrier as he stops and starts along the edge of the road, street or highway.

(3) Any sanitation vehicle operated by a county, municipality or other political subdivision of this state or by a contractor under contract with a county, municipality or other political subdivision of this state to collect solid waste, refuse or recyclable material may be marked with flashing or oscillating white- or amber-colored lights so as to warn approaching travelers to decrease speed because of the danger of colliding with the sanitation collection vehicle as it stops and starts along the road, street or highway.

(4) Any nonlaw enforcement vehicle being used to lead and facilitate the movement of a military funeral procession may be marked with blinking, rotating or oscillating purple lights.  
"Military funeral procession" means two (2) or more vehicles accompanying the body of a deceased member of the United States Armed Forces, or traveling to the church, chapel or other location at which the funeral service or entombment is to be held.

**SECTION 2.** Section 63-7-23, Mississippi Code of 1972, is amended as follows:

63-7-23. (1) The color of lighting devices shall be as follows:

(a) All front clearance lamps, and all side marker lamps, except the one on each side at or near the rear of any bus, truck, truck tractor, semitrailer, full trailer or pole trailer, shall when lighted display an amber color.

(b) No red lighting device of any character shall be mounted at any place other than on or near the rear of any bus, truck, truck tractor, semitrailer, full trailer or pole trailer. However, school buses owned by or under contract with a school district of this state may have affixed at or near the front end thereof red lighting devices that may be caused to blink when the school bus is stopped or in the process of stopping for the purpose of loading or unloading school children. A school bus also may be equipped with a white, flashing strobe light on the roof of the vehicle installed according to standards promulgated by the Mississippi Department of Education as authorized under Section 37-41-1(c).

(c) All rear clearance lamps, the side marker lamps on each side at or near the rear, and any other lamps mounted on the rear, on any bus, truck, truck tractor, semitrailer, full trailer or pole trailer shall when lighted display a red color. However,

the stoplight or other warning device on the rear of any motor vehicle may be red or amber.

(d) Backing lights of any color may be mounted on the rear of any motor vehicle if the switch controlling such lights be so arranged that they may be turned on only when the vehicle is in reverse gear. Such backing lights when unlighted shall be so colored or otherwise arranged as not to reflect objectionable glare in the eyes of drivers of vehicles approaching from the rear.

(2) Auxiliary white lights mounted on or near the rear of a motor vehicle, or visible from the rear of the vehicle, shall not be prohibited under the provisions of this section if (a) the vehicle's gross weight is less than twelve thousand one (12,001) pounds, and (b) the lights are designed by the motor vehicle manufacturer or an after-market parts manufacturer so that they may only be illuminated whenever the vehicle is not in motion and the transmission of the vehicle is not capable of transmitting power to the wheels.

(3) No provision of this section shall be so construed as to prohibit the use of any white light or lights for the purpose of illuminating license plates.

(4) Any lamps illuminated when the vehicle is in motion, other than those expressly required or permitted by the provisions of this chapter or other law, shall, if visible from the front, display only a white or amber light; if visible from either side,

display an amber light; and if visible from the rear, display a red light.

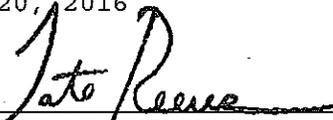
SECTION 3. (1) That segment of U.S. Highway 49 East in Leflore County, Mississippi, beginning at its intersection with Mississippi Highway 8 and extending northerly for two (2) miles is designated and shall be known as the "Highway Patrolman Tommy E. Kendall Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

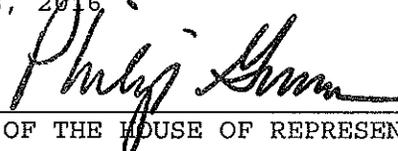
Additionally, the Mississippi Department of Transportation is hereby directed to erect a suitable memorial along such segment at a site to be chosen with the approval of the survivors and family of Highway Patrolman Tommy E. Kendall.

SECTION 4. This act shall take effect and be in force from and after July 1, 2016.

PASSED BY THE SENATE  
April 20, 2016

  
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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
April 18, 2016

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

  
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GOVERNOR

May 9, 2016  
4:59pm