

# Traffic Control Signal Preemption Devices

This Act makes it illegal to sell, possess, or use in a motor vehicle devices which change a traffic light to green or extend the duration of an already green traffic light. Exemptions are made for certain vehicles responding to emergencies.

Submitted as:

Delaware

SB 220

Status: Enacted into law in 2004.

## Suggested State Legislation

(Title, enacting clause, etc.)

1           Section 1. [*Short Title.*] This Act may be cited as “An Act Concerning Traffic Signal  
2 Control Preemption Devices.”

3  
4           Section 2. [*Definitions.*] As used in this Act, “traffic control signal preemption device”  
5 means any device that emits a pulse of light or other signal that, when received by a detector  
6 attached to a traffic control signal, changes that traffic control signal to a green light or, if the  
7 traffic control signal is already green, extends the duration of the green light.

8  
9           Section 3. [*Installation of Devices.*] Except as provided in section 5 of this Act, a traffic  
10 control signal preemption device may not be installed on a motor vehicle, may not be transported  
11 in the passenger compartment of a motor vehicle, and may not be operated by the driver or  
12 passenger of a motor vehicle. Violation of this subsection is an unclassified misdemeanor and  
13 upon arrest the device shall be seized and those convicted shall forfeit the traffic control signal  
14 preemption device and shall also be fined not less than [\$250] nor more than [\$750] and/or be  
15 sentenced to up to [3 months] incarceration at [Level V].

16  
17           Section 4. [*Sales of Devices.*] A retailer or manufacturer may not sell a traffic control  
18 signal preemption device to any person or entity for any intended use other than operation as  
19 permitted under section 5 of this Act. Violation of this section is a [Class A misdemeanor].

20  
21           Section 5. [*Exemptions for Certain Vehicles.*] Installation of a traffic control signal  
22 preemption device is permitted on the following vehicles, and operation of the device is  
23 permitted as follows:

24           (1) Law enforcement vehicles of [state, county, or local authorities], when responding to  
25 a bona fide emergency, when used in combination with flashing lights.

26           (2) Vehicles of [local fire departments and State or federal firefighting vehicles], when  
27 responding to a bona fide emergency, when used in combination with flashing lights.

28           (3) Vehicles that are designed and used exclusively as [ambulances, paramedic or rescue  
29 vehicles], when responding to a bona fide emergency, when used in combination with flashing  
30 lights.

31           (4) Vehicles that are equipped and used exclusively as [organ transport vehicles], when  
32 the transportation is declared an emergency by a [member of the transplant team or a

33 representative of the organ procurement organization], when used in combination with flashing  
34 lights.

35 (5) Vehicles of the [state emergency management agency] when responding to a bona  
36 fide emergency, when used in combination with flashing lights.

37 This section does not prohibit use by motorcycles of devices designed to allow traffic  
38 control signal systems to recognize or detect motorcycles.

39

40 Section 6. [*Severability.*] [Insert severability clause.]

41

42 Section 7. [*Repealer.*] [Insert repealer clause.]

43

44 Section 8. [*Effective Date.*] [Insert effective date.]