SPONSOR: Sen. Ennis & Rep. D. Short
Sens. Gay, Lawson, Richardson, Wilson

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 288
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLE SAFETY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend §4348, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4348. Additional lighting equipment.

(d)(3) Flashing headlights may be installed upon any motor vehicle being used by a fire chief, assistant fire chief, fire engineer, fire police officer, police officer, a firefighter who is a member of any regularly established fire company or by an ambulance attendant who is a member of any regularly established ambulance service. Flashing lights shall only be installed if duly authorized by the fire chief or ambulance captain of the respective fire or ambulance company. The lights shall be used only in response to duty as a first responder. Only those firefighters or ambulance attendants of regularly established fire companies duly designated as first responders by their respective fire chief, or those ambulance attendants of other regularly established ambulance services duly designated as first responders by their respective ambulance captain, shall be authorized to use such flashing lights, notwithstanding § 4353(c) of this title. Nothing in this section shall be interpreted to grant emergency vehicle status to firefighters or ambulance attendants making use of such signals in their personal vehicles pursuant to § 4106 of this title. Flashing lights as used in this subsection shall mean a sudden and transient outburst of bright light either operated or activated by 4-way flashers and/or by a high and low beam headlight switch on the vehicle.

a. Modulating headlights may be installed on motorcycles for the purpose of warning other vehicles of their presence requiring the exercise of unusual care in approaching, overtaking, or passing, notwithstanding § 4353 (c) of this title. Such modulating headlights must conform to the motorcycle headlamp modulation system requirements of 49 C.F.R. 571.108 S10.17.5. Nothing in this section shall be interpreted to grant emergency status to motorcycle operators making use of such modulating headlights.

Section 2. This Act expires on January 1, 2025, unless otherwise provided by a subsequent act of the General Assembly.

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