



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

February 10, 1975

Opinion No. 75- 54

Colonel Allen Rush
Superintendent
Kansas Highway Patrol
State Office Building
Topeka, Kansas 66612

Dear Colonel Rush:

You have requested a formal opinion to determine whether or not a "wig-wag" warning light system may be used on authorized emergency vehicles.

According to our understanding of the "wig-wag" system, derived from the advertising brochure you enclosed, upon being triggered the high beam headlights alternately flash on and off. If this assumption is correct it is our opinion that such a warning light system is unauthorized and therefore illegal. The overall prohibition of flashing lights is contained in L. 1974, Ch. 33, §8-1729(c). It provides:

"(c) Flashing lights are prohibited except as authorized or required in sections 8-1717, 8-1720, 8-1721, 8-1723(e), 8-1730 and 8-1731."

A perusal of the sections mentioned reveals no authorization for warning lights such as the "wig-wag" system. Section 8-1717 is concerned with flashing lights on farm tractors and slow moving vehicles. Section 8-1720 authorizes alternately flashing red lights on authorized emergency vehicles. Section 8-1721 allows vehicles to be equipped with stop lamps on the rear of vehicles and turn signals. Section 8-1723(e) authorizes side marker lamps flashing in conjunction with turn signals and warning signals.

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Sections 8-1730 and 8-1731 are concerned with lights on school buses and highway maintenance equipment respectfully.

We, therefore, conclude that compliance with the new vehicle code forbids the use of the "wig-wag" warning light system on authorized emergency vehicles.

Very truly yours,



CURT T. SCHNEIDER
Attorney General

CTS:DRH:kj