



STATE OF KANSAS

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November 28, 1983

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ATTORNEY GENERAL OPINION NO. 83- 176

Larry D. Draffen
County Coordinator
Russell County Office of
Emergency Preparedness
Sheriff's Department
P. O. Box 332
Russell, Kansas 67665

Re: Automobiles and Other Vehicles -- Act Regulating
Traffic; Equipment of Vehicles -- Lamps and Lights
on Authorized Emergency Equipment; Use of Blue
Flashing Lights

Synopsis: The use of blue flashing lights on an authorized
emergency motor vehicle fails to conform to the
statutory emergency lighting requirements and is
illegal. Cited herein: K.S.A. 8-1404, 8-1720,
8-1722, 8-1729 and 8-1738.

* * *

Dear Mr. Draffen:

As county coordinator for the Russell County Office of Emer-
gency Preparedness, you request our opinion concerning the
use of blue flashing lights on emergency motor vehicles.

You advise that currently the emergency vehicles controlled
by your office each have a single blue flashing light affixed
to the front of such vehicles. These vehicles are each addi-
tionally equipped with the red or red and white lamps re-
quired by K.S.A. 8-1720 and 8-1722. You have not advised us
as to which type of emergency vehicles are using these blue
lights, but for purposes of this opinion we assume such
vehicles are properly designed as emergency vehicles, pursuant
to K.S.A. 8-1404 and consist of police vehicles, fire trucks
or ambulances.

Emergency vehicles must be equipped not only with a siren (K.S.A. 8-1738) but also with flashing lights (K.S.A. 8-1720). K.S.A. 8-1720 reads as follows:

"(a) Every authorized emergency vehicle . . . shall be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two (2) alternately flashing red lights located on the same level and to the rear two (2) alternately flashing red lights located at the same level, or in lieu thereof, any such authorized emergency vehicle shall be equipped with at least one rotating or oscillating light, which shall be mounted as high as practicable on such vehicle and which shall display to the front or rear of such vehicle a flashing red light or alternate flashes of red and white lights in combination

"(b) A police vehicle when used as an authorized emergency vehicle may, but need not, be equipped with flashing red lights specified herein, but any flashing lights, including rotating or oscillating lights, used on a police vehicle, other than the flashing lights specified in K.S.A. 8-1722, shall be red in color." (Emphasis added.)

K.S.A. 8-1722(d) allows any police vehicle to use alternate flashing amber lights to the rear of the vehicle.

Our research has not disclosed any Kansas cases on this particular subject. However, we believe that K.S.A. 8-1729(c) sufficiently and clearly answers your question. That statute reads in pertinent part as follows:

"Flashing lights are prohibited except as authorized or required in K.S.A. 8-1717, 8-1720, 8-1721, 8-1722, 8-1723(e), 8-1730, 8-1730a and 8-1731, and any amendments thereto."

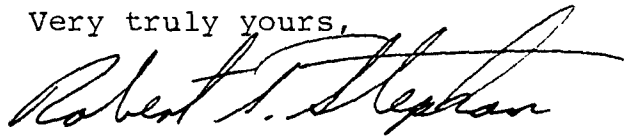
In examining the above-referenced statutes, we can find no provision which allows for the use of blue lights. Accordingly, police vehicles may only use red lights, and the rear amber flashing lights; fire trucks and ambulances may use only red or red and white flashing lights.

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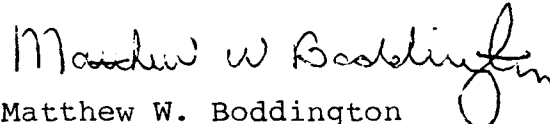
We have been advised by the Kansas Highway Patrol that the patrol initially sponsored the above statutes concerning colors of emergency lights and recommended to the legislature that red lights, not blue lights, be used. This recommendation was made based upon visibility surveys conducted by Kansas law enforcement officers. In recent years, the legislature has reconsidered and rejected the use of blue lights.

Therefore, it is our opinion that the use of blue flashing lights on an authorized emergency motor vehicle fails to conform to the statutory lighting requirements and is illegal.

Very truly yours,



ROBERT T. STEPHAN
ATTORNEY GENERAL OF KANSAS



Matthew W. Boddington
Assistant Attorney General

RTS:BJS:MWB:hle