

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.”

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4 Section 2. [*Definitions.*] As used in this Act, “traffic control signal preemption
5 device” means any device that emits a pulse of light or other signal that, when received by a
6 detector attached to a traffic control signal, changes that traffic control signal to a green light
7 or, if the traffic control signal is already green, extends the duration of the green light.
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9 Section 3. [*Installation of Devices.*] Except as provided in section 4 of this Act, a
10 traffic control signal preemption device may not be installed on a motor vehicle, may not be
11 transported in the passenger compartment of a motor vehicle, and may not be operated by the
12 driver or passenger of a motor vehicle. Violation of this subsection is an unclassified
13 misdemeanor and upon arrest the device shall be seized and those convicted shall forfeit the
14 traffic control signal preemption device and shall also be fined not less than [\$250] nor more
15 than [\$750] and/or be sentenced to up to [3 months] incarceration at [Level V].
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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 4 (a) of this Act.. Violation of this section is a [Class A
20 misdemeanor].
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22 Section 5. [*Exemptions for Certain Vehicles.*] Installation of a traffic control signal
23 preemption device is permitted on the following vehicles, and operation of the device is
24 permitted as follows:

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

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

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

32 (4) Vehicles that are equipped and used exclusively as [organ transport vehicles],
33 when the transportation is declared an emergency by a [member of the transplant team or a
34 representative of the organ procurement organization], when used in combination with
35 flashing lights.

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

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

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

42

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

44

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