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# SENATE COMMITTEE ON PUBLIC SAFETY

Senator Nancy Skinner, Chair

2017 - 2018 Regular

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**Bill No:** AB 78                      **Hearing Date:** June 13, 2017  
**Author:** Cooper  
**Version:** March 13, 2017  
**Urgency:** No                              **Fiscal:** Yes  
**Consultant:** NG

**Subject:** *Vessels: Operation and Equipment: Blue Lights*

## HISTORY

Source: Author

Prior Legislation: AB 2224 (Achadjian) Held in Assembly Public Safety 2015  
AB 1385 (Miller) Voted by Governor 2010  
AB 2215 (Nakanishi) Held in Assembly Public Safety 2003

Support: California Special Districts Association; California State Firefighters Association; California Fire Chiefs Association; California State Sheriffs' Association; Fire District Associations of California; Recreational Boaters Association of California

Opposition: None known

Assembly Floor Vote: 74 - 0

## PURPOSE

***The purpose of this bill is to expand the definition of vessels that are eligible to use distinctive blue lights include vessels from a fire department or a fire protection district.***

*Existing law* provides that the use of a distinctive blue light, as prescribed by the department, is reserved for law enforcement vessels and may be displayed during the day or night when the vessel is engaged in direct law enforcement activities, as specified. (Harb. & Nav. Cdoe, § 652.5 subd. (a).)

*Existing law* prohibits the display of such lights on vessels for other purposes. (Harb. & Nav. Cdoe, § 652.5 subd. (c).)

*Existing law* requires that any vessel approaching, overtaking, being approach, or being overtaken by a moving law enforcement vessel operating with a siren or an illuminated blue light, or any vessel approaching a stationary law enforcement vessel displaying an illuminated blue light, to immediately slow to a speed sufficient to maintain steerage only, alter its course so as not to inhibit or interfere with the operation of the law enforcement vessel, and proceed at the reduced speed until beyond the area of operation of the law enforcement vessel, unless otherwise directed by the operator of the law enforcement vessel. (Harb. & Nav. Cdoe, § 652.5 subd. (d).)

*Existing law* requires the operator of every cable ferry to take whatever reasonable action necessary to provide a clear course for any law enforcement vessel operating with a siren or an illuminated blue light, or both. (Harb. & Nav. Code, § 652.5 subd. (e).)

*Existing law* provides that a person found guilty of a misdemeanor violation of any regulation adopted by the department pursuant to this section, shall be subject to a fine not to exceed one thousand dollars (\$1,000), imprisonment in a county jail no to exceed six months, or both fine and imprisonment. (Harb. & Nav. Code, § 652 subd. (e).)

*This bill* expands the definition of vessels eligible to use distinctive blue to include vessels from a fire department and a fire protection district while engaged in public safety activities.

*This bill* states that no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution.

## COMMENTS

### 1. Need for This Bill

According to the author:

Currently the Harbors and Navigation Code (section 652.2) authorizes the use of “blue” lights on law enforcement vessels only. The use of blue lights on emergency vessels indicates to civilian boaters to yield the right-of-way and/or to slow down as to not create a hazard or unnecessary wakes. They do not mean by themselves to stop and succumb to police actions. Fire Departments also work the California waterways and are responsible for public safety responses to include extinguishing boat, structure and bank fires, emergency response and rescue, dead body recovery, medical response and staffing public waterway events.

Current law does not allow fire to equip or use blue lights while they are engaged in a public safety capacity or response. This continues to cause difficulties in that fire department vessels cannot respond in the most expedient manner to waterway emergencies. Furthermore, when their vessels are stationary at incidents such as fires, search or rescue operations or body recoveries boaters do not use caution when passing or approaching fire vessels. Many fire departments call for mutual aid from law enforcement vessels merely to “standby” with blue lights activated while fire department personnel provide emergency public safety services. This costs time for fire department vessels to wait for law enforcement response and also creates an unnecessary manpower drain because it requires the services of two public safety entities when one would suffice.

AB 78 would fix this problem by allowing fire departments to equip their vessels with blue lights and to use them only for public safety responses on the waterways.

**2. Effect of This Bill**

Distinctive blue lights from an incoming vessel prompt individuals operating a vessel to slow down and yield to the incoming vessel. Existing law limits the use of these blue lights to law enforcement vessels.

This bill would allow vessels from fire departments or fire protection districts to use distinctive blue lights while engaged in public safety activities.

**3. Argument in Support**

According to the California State Firefighters' Association:

The California State Firefighters' Association (CSFA), the oldest and largest firefighter association in the state, representing over 17,000 firefighters and EMS personnel is proud to support your AB 78...

This is a simple bill that would provide consistency in law enforcement by allowing fire departments to have blue warning lights on their department vehicles, much the way that other law enforcement vehicles have. This bill would help clear the confusion among law enforcement units because the fact of the matter is that many fire departments have maintained blue lights on their law enforcement vehicles for many years.

**- END -**