

109TH CONGRESS  
1ST SESSION

# S. 564

To improve traffic safety by discouraging the use of traffic signal preemption transmitters.

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IN THE SENATE OF THE UNITED STATES

MARCH 8, 2005

Mr. DEWINE (for himself and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To improve traffic safety by discouraging the use of traffic signal preemption transmitters.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Safe Intersections Act  
5       of 2005”.

6       **SEC. 2. SAFE INTERSECTIONS.**

7       (a) IN GENERAL.—Chapter 2 of title 18, United  
8       States Code, is amended by adding at the end the fol-  
9       lowing:

1 **“§ 39. Traffic signal preemption transmitters**

2 “(a) OFFENSES.—

3 “(1) SALE.—A person who knowingly sells a  
 4 traffic signal preemption transmitter in or affecting  
 5 interstate or foreign commerce to a person who is  
 6 not acting on behalf of a public agency or private  
 7 corporation authorized by law to provide fire protec-  
 8 tion, law enforcement, emergency medical services,  
 9 transit services, maintenance, or other services for a  
 10 Federal, State, or local government entity, shall,  
 11 notwithstanding section 3571(b) of title 18, United  
 12 States Code, be fined not more than \$10,000, im-  
 13 prisoned not more than 1 year, or both.

14 “(2) USE.—A person who makes unauthorized  
 15 use of a traffic signal preemption transmitter in or  
 16 affecting interstate or foreign commerce shall be  
 17 fined not more than \$10,000, imprisoned not more  
 18 than 6 months, or both.

19 “(b) DEFINITIONS.—In this section, the following  
 20 definitions apply:

21 “(1) TRAFFIC SIGNAL PREEMPTION TRANS-  
 22 MITTER.—The term ‘traffic signal preemption trans-  
 23 mitter’ means any mechanism that can change or  
 24 alter a traffic signal’s phase time or sequence.

25 “(2) UNAUTHORIZED USE.—The term ‘unau-  
 26 thorized use’ means use of a traffic signal preemp-

1        tion transmitter by a person who is not acting on be-  
 2        half of a public agency or private corporation au-  
 3        thorized by law to provide fire protection, law en-  
 4        forcement, emergency medical services, transit serv-  
 5        ices, maintenance, or other services for a Federal,  
 6        State, or local government entity. The term ‘unau-  
 7        thorized use’ does not apply to use of a traffic signal  
 8        preemption transmitter for classroom or instruc-  
 9        tional purposes.”.

10       (b) CHAPTER ANALYSIS.—The chapter analysis for  
 11 chapter 2 of title 18, United States Code, is amended by  
 12 adding at the end the following:

“39. Traffic signal preemption transmitters.”.

