

**OPINION**  
**55-58**

September 19, 1955            (OPINION)

FIRE DEPARTMENTS

RE: Trucks - Mechanical Signal Lights

This office is in receipt of your request of September 16, 1955 for an opinion as to whether or not it is mandatory for the fire department of your city to install mechanical signal lights on your fire truck.

Section 39-1101 of the 1953 Supplement to the North Dakota Revised Code of 1943 provides that any vehicle that is sold after January 1, 1952, shall have such mechanical signal lights of the type approved by the motor vehicle registrar. The law, however, being chapter 237 of the 1955 Session Laws makes provision for signaling by hand. We find in section 40 of said chapter 237 of the 1955 Session Laws, subsection 2 thereof, that any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, a signal lamp or lamps or mechanical signal device when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet. The reason that such dimensions were inserted was undoubtedly that if there is more than such a distance, the signaling by hand would not be effective.

Our opinion, therefore, is that if your fire truck is not equipped with mechanical signals and if the distances from the steering post exceeds the one outlined in the above, it will be necessary for you to install mechanical signals. I can find no exception in the law as to fire equipment or any other particular kind of a vehicle.

LESLIE R. BURGUM

Attorney General