



HOUSE BILL No. 5229

October 10, 1995, Introduced by Reps. Anthony, Prusi, Tesanovich, DeHart, Curtis, Harder, Leland, DeMars, Weeks, London, Price, Pitoniak and Willard and referred to the Committee on Transportation.

A bill to amend section 698 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," as amended by Act No. 101 of the Public Acts of 1994, being section 257.698 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 698 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 101 of the Public Acts of 1994, being
3 section 257.698 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 698. (1) A motor vehicle may be equipped with not more
6 than 2 side cowl or fender lamps which shall emit an amber or
7 white light without glare.

1 (2) A motor vehicle may be equipped with not more than 1
2 running board courtesy lamp on each side which shall emit a white
3 or amber light without glare.

4 (3) Backing lights of red, amber, or white may be mounted on
5 the rear of a motor vehicle if the switch controlling the light
6 is so arranged that the light may be turned on only if the vehi-
7 cle is in reverse gear. The backing lights when unlighted shall
8 be covered or otherwise arranged so as not to reflect objection-
9 able glare in the eyes of a driver of a vehicle approaching from
10 the rear.

11 (4) Unless both covered and unlit, a vehicle driven on the
12 highways of this state shall not be equipped with a lamp or a
13 part designed to be a reflector unless expressly required or per-
14 mitted by this chapter or that meets the standards prescribed in
15 49 C.F.R. 571.108. A lamp or a part designed to be a reflector,
16 if visible from the front, shall display or reflect a white or
17 amber light; if visible from either side, shall display or
18 reflect an amber or red light; and if visible from the rear,
19 shall display or reflect a red light, except as otherwise pro-
20 vided by law.

21 (5) The use or possession of flashing, oscillating, or
22 rotating lights of any color is prohibited except as otherwise
23 provided by law, or under the following circumstances:

24 (a) A police vehicle shall be equipped with flashing, rotat-
25 ing, or oscillating red or blue lights, for use in the per-
26 formance of police duties.

1 (b) A fire vehicle or ambulance available for public use or
2 for use of the United States, the state, or any unit of the
3 state, whether publicly or privately owned, shall be equipped
4 with flashing, rotating, or oscillating red lights and used as
5 required for safety.

6 (c) If authorized by the department of state police, a pri-
7 vate motor vehicle owned by a volunteer or paid fire fighter, a
8 volunteer ambulance driver, or a licensed ambulance driver or
9 attendant, or an emergency support vehicle used exclusively for
10 emergencies and owned and operated by a federally recognized non-
11 profit charitable organization may be equipped with flashing,
12 rotating, or oscillating red lights for use when responding to an
13 emergency call if when in use the flashing, rotating, or oscil-
14 lating red lights are mounted on the roof section of the vehicle,
15 either as a permanent installation or by means of suction cups or
16 magnets and are clearly visible in a 360 degree arc from a dis-
17 tance of 500 feet when in use. A person operating lights under
18 this subdivision at any time other than when responding to an
19 emergency call is guilty of a misdemeanor.

20 (d) Flashing, rotating, or oscillating amber lights, placed
21 in a position as to be visible throughout an arc of 360 degrees,
22 shall be used by a state, county, or municipal vehicle engaged in
23 the removal of ice, snow, or other material from the highway and
24 in other operations designed to control ice and snow.

25 (e) A vehicle used for the cleanup of spills or a necessary
26 emergency response action taken pursuant to state or federal law
27 or a vehicle operated by an employee of the department of natural

1 resources that responds to a spill, emergency response action,
2 complaint, or compliance activity may be equipped with flashing,
3 rotating, or oscillating amber lights. Such lights shall not be
4 activated unless the vehicle is at the scene of a spill, emer-
5 gency response action, complaint, or compliance activity.

6 (f) A vehicle to perform public utility service, a vehicle
7 owned or leased by and licensed as a business for use in the col-
8 lection and hauling of refuse, an automobile service car or
9 wrecker, a vehicle engaged in authorized highway repair or main-
10 tenance, a vehicle of a peace officer, a vehicle operated by a
11 rural letter carrier or a person under contract to deliver news-
12 papers or other publications by motor route, a vehicle utilized
13 for snow removal, a private security guard vehicle as authorized
14 in subsection (7), a hearse or funeral coach, a motor vehicle
15 while engaged in escorting or transporting an oversize load that
16 has been issued a permit by the state transportation department
17 or a local authority with respect to highways under its jurisdic-
18 tion, a vehicle owned by the national guard or a United States
19 military vehicle while traveling under the appropriate recognized
20 military authority, a motor vehicle while towing an implement of
21 husbandry, or an implement of husbandry may be equipped with
22 flashing, rotating, or oscillating amber lights. However, a
23 wrecker may be equipped with flashing, rotating, or oscillating
24 red lights which shall be activated only when the wrecker is
25 engaged in removing or assisting a vehicle at the scene of a
26 traffic accident or disablement. The flashing, rotating, or
27 oscillating amber lights shall not be activated except in those

1 circumstances that the warning produced by the lights is required
2 for public safety.

3 (g) An authorized emergency vehicle may display flashing,
4 rotating, or oscillating white lights in conjunction with an
5 authorized emergency light as prescribed in this section.

6 (h) A private motor vehicle of a physician responding to an
7 emergency call may be equipped with and the physician may use
8 flashing, rotating, or oscillating red lights mounted on the roof
9 section of the vehicle either as a permanent installation or by
10 means of magnets or suction cups and clearly visible in a 360
11 degree arc from a distance of 500 feet when in use. The physi-
12 cian shall first obtain written authorization from the county
13 sheriff.

14 (I) A PUBLIC TRANSIT VEHICLE MAY BE EQUIPPED WITH A FLASH-
15 ING, OSCILLATING, OR ROTATING LIGHT MOUNTED ON THE ROOF OF THE
16 BUS APPROXIMATELY 6 FEET FROM THE REAR OF THE VEHICLE WHICH DIS-
17 PLAYS A WHITE LIGHT TO THE FRONT, SIDE, AND REAR OF THE BUS WHICH
18 LIGHT MAY BE ACTUATED BY THE DRIVER FOR USE ONLY IN INCLEMENT
19 WEATHER SUCH AS FOG, RAIN, OR SNOW, WHEN BOARDING OR DISCHARGING
20 PASSENGERS, FROM 1/2 HOUR BEFORE SUNSET UNTIL 1/2 HOUR AFTER SUN-
21 RISE, OR WHERE CONDITIONS HINDER THE VISIBILITY OF THE PUBLIC
22 TRANSIT VEHICLE. AS USED IN THIS SUBDIVISION, "PUBLIC TRANSIT
23 VEHICLE" MEANS A MOTOR VEHICLE, OTHER THAN A STATION WAGON OR
24 PASSENGER VAN, WITH A MANUFACTURERS RATED SEATING CAPACITY OF 16
25 OR MORE PASSENGERS AND A GROSS VEHICLE WEIGHT RATING OF MORE THAN
26 10,000 POUNDS.

1 (J) ~~(i)~~ A person engaged in the manufacture, sale, or
2 repair of flashing, rotating, or oscillating lights governed by
3 this subsection may possess the lights for the purpose of employ-
4 ment, but shall not activate the lights upon the highway unless
5 authorized to do so under subsection (6).

6 (6) A person shall not sell, loan, or otherwise furnish a
7 flashing, rotating, or oscillating blue or red light designed
8 primarily for installation on an authorized emergency vehicle to
9 a person except a police officer, sheriff, deputy sheriff, autho-
10 rized physician, volunteer or paid fire fighter, volunteer ambu-
11 lance driver, licensed ambulance driver or attendant of the
12 state, a county or municipality within the state, a person
13 engaged in the business of operating an ambulance or wrecker
14 service, or a federally recognized nonprofit charitable organiza-
15 tion which owns and operates an emergency support vehicle used
16 exclusively for emergencies. This subsection does not prohibit
17 an authorized vehicle, equipped with flashing, rotating, or
18 oscillating blue or red lights, from being operated by a person
19 other than a person described in this section if the person
20 receives authorization to operate the emergency vehicle from a
21 police officer, sheriff, deputy sheriff, authorized physician,
22 volunteer or paid fire fighter, volunteer ambulance driver,
23 licensed ambulance driver or attendant, a person operating an
24 ambulance or wrecker service, or a federally recognized nonprofit
25 charitable organization which owns and operates an emergency sup-
26 port vehicle used exclusively for emergencies, except that the
27 authorization shall not permit the person to operate lights as

1 described in subsection (5)(a), (b), (c), (g), or (h), or to
2 exercise the privileges described in section 603. A person who
3 operates an authorized emergency vehicle in violation of the
4 terms of an authorization is guilty of a misdemeanor.

5 (7) A private motor vehicle of a security guard agency or
6 alarm company licensed pursuant to the private security guard act
7 of 1968, Act No. 330 of the Public Acts of 1968, being sections
8 338.1051 to 338.1085 of the Michigan Compiled Laws, may display
9 flashing, rotating, or oscillating amber lights. The flashing,
10 rotating, or oscillating amber lights shall not be activated on a
11 public highway when a vehicle is in motion.

12 (8) This section shall not be construed to prohibit,
13 restrict, or limit the use of lights authorized or required under
14 sections 697, 697a, and 698a.

15 (9) A person who violates subsection (1), (2), (3), or (4)
16 is responsible for a civil infraction.