

HOUSE BILL No. 4051

January 8, 1997, Introduced by Rep. Anthony and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 1994 PA 101.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

7 (3) Backing lights of red, amber, or white may be mounted on
8 the rear of a motor vehicle if the switch controlling the light
9 is so arranged that the light may be turned on only if the
10 vehicle is in reverse gear. The backing lights when unlighted

1 shall be covered or otherwise arranged so as not to reflect
2 objectionable glare in the eyes of a driver of a vehicle
3 approaching from the rear.

4 (4) Unless both covered and unlit, a vehicle driven on the
5 highways of this state shall not be equipped with a lamp or a
6 part designed to be a reflector unless expressly required or per-
7 mitted by this chapter or that meets the standards prescribed in
8 49 C.F.R. 571.108. A lamp or a part designed to be a reflector,
9 if visible from the front, shall display or reflect a white or
10 amber light; if visible from either side, shall display or
11 reflect an amber or red light; and if visible from the rear,
12 shall display or reflect a red light, except as otherwise pro-
13 vided by law.

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

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

20 (b) A fire vehicle or ambulance available for public use or
21 for use of the United States, the state, or any unit of the
22 state, whether publicly or privately owned, shall be equipped
23 with flashing, rotating, or oscillating red lights and used as
24 required for safety.

25 (c) If authorized by the department of state police, a pri-
26 vate motor vehicle owned by a volunteer or paid fire fighter, a
27 volunteer ambulance driver, or a licensed ambulance driver or

1 attendant, or an emergency support vehicle used exclusively for
2 emergencies and owned and operated by a federally recognized non-
3 profit charitable organization may be equipped with flashing,
4 rotating, or oscillating red lights for use when responding to an
5 emergency call if when in use the flashing, rotating, or oscil-
6 lating red lights are mounted on the roof section of the vehicle,
7 either as a permanent installation or by means of suction cups or
8 magnets and are clearly visible in a 360 degree arc from a dis-
9 tance of 500 feet when in use. A person operating lights under
10 this subdivision at any time other than when responding to an
11 emergency call is guilty of a misdemeanor.

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

17 (e) A vehicle used for the cleanup of spills or a necessary
18 emergency response action taken pursuant to state or federal law
19 or a vehicle operated by an employee of the department of natural
20 resources that responds to a spill, emergency response action,
21 complaint, or compliance activity may be equipped with flashing,
22 rotating, or oscillating amber lights. Such lights shall not be
23 activated unless the vehicle is at the scene of a spill, emer-
24 gency response action, complaint, or compliance activity.

25 (f) A vehicle to perform public utility service, a vehicle
26 owned or leased by and licensed as a business for use in the
27 collection and hauling of refuse, an automobile service car or

1 wrecker, a vehicle engaged in authorized highway repair or
2 maintenance, a vehicle of a peace officer, a vehicle operated by
3 a rural letter carrier or a person under contract to deliver
4 newspapers or other publications by motor route, a vehicle uti-
5 lized for snow removal, a private security guard vehicle as
6 authorized in subsection (7), a hearse or funeral coach, a motor
7 vehicle while engaged in escorting or transporting an oversize
8 load that has been issued a permit by the state transportation
9 department or a local authority with respect to highways under
10 its jurisdiction, a vehicle owned by the national guard or a
11 United States military vehicle while traveling under the appro-
12 priate recognized military authority, a motor vehicle while
13 towing an implement of husbandry, or an implement of husbandry
14 may be equipped with flashing, rotating, or oscillating amber
15 lights. However, a wrecker may be equipped with flashing, rotat-
16 ing, or oscillating red lights which shall be activated only when
17 the wrecker is engaged in removing or assisting a vehicle at the
18 scene of a traffic accident or disablement. The flashing, rotat-
19 ing, or oscillating amber lights shall not be activated except in
20 those circumstances that the warning produced by the lights is
21 required for public safety.

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

25 (h) A private motor vehicle of a physician responding to an
26 emergency call may be equipped with and the physician may use
27 flashing, rotating, or oscillating red lights mounted on the roof

1 section of the vehicle either as a permanent installation or by
2 means of magnets or suction cups and clearly visible in a 360
3 degree arc from a distance of 500 feet when in use. The physi-
4 cian shall first obtain written authorization from the county
5 sheriff.

6 (I) A PUBLIC TRANSIT VEHICLE MAY BE EQUIPPED WITH A FLASH-
7 ING, OSCILLATING, OR ROTATING LIGHT MOUNTED ON THE ROOF OF THE
8 VEHICLE APPROXIMATELY 6 FEET FROM THE REAR OF THE VEHICLE WHICH
9 DISPLAYS A WHITE LIGHT TO THE FRONT, SIDE, AND REAR OF THE VEHI-
10 CLE, WHICH LIGHT MAY BE ACTUATED BY THE DRIVER FOR USE ONLY IN
11 INCLEMENT WEATHER SUCH AS FOG, RAIN, OR SNOW, WHEN BOARDING OR
12 DISCHARGING PASSENGERS, FROM 1/2 HOUR BEFORE SUNSET UNTIL 1/2
13 HOUR AFTER SUNRISE, OR WHERE CONDITIONS HINDER THE VISIBILITY OF
14 THE PUBLIC TRANSIT VEHICLE. AS USED IN THIS SUBDIVISION, "PUBLIC
15 TRANSIT VEHICLE" MEANS A MOTOR VEHICLE, OTHER THAN A STATION
16 WAGON OR PASSENGER VAN, WITH A MANUFACTURERS RATED SEATING CAPAC-
17 ITY OF 16 OR MORE PASSENGERS AND A GROSS VEHICLE WEIGHT RATING OF
18 MORE THAN 10,000 POUNDS.

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

24 (6) A person shall not sell, loan, or otherwise furnish a
25 flashing, rotating, or oscillating blue or red light designed
26 primarily for installation on an authorized emergency vehicle to
27 a person except a police officer, sheriff, deputy sheriff,

1 authorized physician, volunteer or paid fire fighter, volunteer
2 ambulance driver, licensed ambulance driver or attendant of the
3 state, a county or municipality within the state, a person
4 engaged in the business of operating an ambulance or wrecker
5 service, or a federally recognized nonprofit charitable organiza-
6 tion which owns and operates an emergency support vehicle used
7 exclusively for emergencies. This subsection does not prohibit
8 an authorized vehicle, equipped with flashing, rotating, or
9 oscillating blue or red lights, from being operated by a person
10 other than a person described in this section if the person
11 receives authorization to operate the emergency vehicle from a
12 police officer, sheriff, deputy sheriff, authorized physician,
13 volunteer or paid fire fighter, volunteer ambulance driver,
14 licensed ambulance driver or attendant, a person operating an
15 ambulance or wrecker service, or a federally recognized nonprofit
16 charitable organization which owns and operates an emergency sup-
17 port vehicle used exclusively for emergencies, except that the
18 authorization shall not permit the person to operate lights as
19 described in subsection (5)(a), (b), (c), (g), or (h), or to
20 exercise the privileges described in section 603. A person who
21 operates an authorized emergency vehicle in violation of the
22 terms of an authorization is guilty of a misdemeanor.

23 (7) A private motor vehicle of a security guard agency or
24 alarm company licensed pursuant to the private security guard act
25 of 1968, Act No. 330 of the Public Acts of 1968, being sections
26 338.1051 to 338.1085 of the Michigan Compiled Laws, may display
27 flashing, rotating, or oscillating amber lights. The flashing,

1 rotating, or oscillating amber lights shall not be activated on a
2 public highway when a vehicle is in motion.

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

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