### SUBSTITUTE FOR

# HOUSE BILL NO. 5247

A bill to amend 1949 PA 300, entitled

"Michigan vehicle code,"

by amending section 698 (MCL 257.698), as amended by 2012 PA 262.

# THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 698. (1) A motor vehicle may be equipped with not more
 than 2 side cowl or fender lamps that shall emit an amber or 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 that shall emit a white or
6 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 is
9 so arranged that the light may be turned on only if the vehicle is

## H00395'15 (H-2)

KED

in reverse gear. The backing lights when unlighted shall be covered
 or otherwise arranged so as not to reflect objectionable glare in
 the eyes of an operator of a vehicle approaching from the rear.

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

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

16 (a) A police vehicle shall be equipped with flashing,
17 rotating, or oscillating red or blue lights, for use in the
18 performance of police duties.

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

(c) An authorized emergency vehicle may be equipped with
flashing, rotating, or oscillating red lights for use when
responding to an emergency call if when in use the flashing,
rotating, or oscillating red lights are mounted on the roof section

#### H00395'15 (H-2)

KED

of the vehicle, either as a permanent installation or by means of suction cups or magnets and are clearly visible in a 360-degree arc from a distance of 500 feet when in use. A person operating lights under this subdivision at any time other than when responding to an emergency call is guilty of a misdemeanor.

(d) Flashing, rotating, or oscillating amber **OR GREEN** lights, 6 placed in a position as to be visible throughout an arc of 360 7 degrees, shall be used by a state, county, or municipal vehicle 8 9 engaged in the removal of ice, snow, or other material from the 10 highway and in other operations designed to control ice and snow, 11 OR ENGAGED IN OTHER NON-WINTER OPERATIONS. THIS SUBDIVISION DOES 12 NOT PROHIBIT THE USE OF A FLASHING, ROTATING, OR OSCILLATING GREEN LIGHT BY A FIRE SERVICE. 13

14 (e) A vehicle used for the cleanup of spills or a necessary 15 emergency response action taken pursuant to state or federal law or a vehicle operated by an employee of the department of natural 16 17 resources OR THE DEPARTMENT OF ENVIRONMENTAL QUALITY that responds to a spill, emergency response action, complaint, or compliance 18 19 activity may be equipped with flashing, rotating, or oscillating 20 amber OR GREEN lights. Such THE lights DESCRIBED IN THIS 21 SUBDIVISION shall not be activated unless the vehicle is at the 22 scene of a spill, emergency response action, complaint, or 23 compliance activity. THIS SUBDIVISION DOES NOT PROHIBIT THE USE OF 24 A FLASHING, ROTATING, OR OSCILLATING GREEN LIGHT BY A FIRE SERVICE. 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

#### H00395'15 (H-2)

KED

1 wrecker, a vehicle engaged in authorized highway repair or 2 maintenance, a vehicle of a peace officer, a vehicle operated by a rural letter carrier or a person under contract to deliver 3 4 newspapers or other publications by motor route, a vehicle utilized 5 for snow or ice removal under section 682c, a private security quard vehicle as authorized in subsection (7), a motor vehicle 6 while engaged in escorting or transporting an oversize load that 7 has been issued a permit by the state transportation department or 8 9 a local authority with respect to highways under its jurisdiction, a vehicle owned by the national guard or a United States military 10 11 vehicle while traveling under the appropriate recognized military 12 authority, a motor vehicle while towing an implement of husbandry, or an implement of husbandry may be equipped with flashing, 13 14 rotating, or oscillating amber lights. However, a wrecker may be equipped with flashing, rotating, or oscillating red lights that 15 shall be activated only when the wrecker is engaged in removing or 16 17 assisting a vehicle at the scene of a traffic accident or disablement. The flashing, rotating, or oscillating amber lights 18 19 shall not be activated except when the warning produced by the 20 lights is required for public safety.

(g) A vehicle engaged in leading or escorting a funeral procession or any vehicle that is part of a funeral procession may be equipped with flashing, rotating, or oscillating purple or amber lights that shall not be activated except during a funeral procession.

26 (h) An authorized emergency vehicle may display flashing,27 rotating, or oscillating white lights in conjunction with an

#### H00395'15 (H-2)

KED

1 authorized emergency light as prescribed in this section.

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

(j) A public transit vehicle may be equipped with a flashing, 9 10 oscillating, or rotating light mounted on the roof of the vehicle 11 approximately 6 feet from the rear of the vehicle that displays a 12 white light to the front, side, and rear of the vehicle, which light may be actuated by the driver for use only in inclement 13 14 weather such as fog, rain, or snow, when boarding or discharging passengers, from 1/2 hour before sunset until 1/2 hour after 15 sunrise, or when conditions hinder the visibility of the public 16 17 transit vehicle. As used in this subdivision, "public transit vehicle" means a motor vehicle, other than a station wagon or 18 19 passenger van, with a gross vehicle weight rating of more than 20 10,000 pounds.

(k) A person engaged in the manufacture, sale, or repair of
flashing, rotating, or oscillating lights governed by this
subsection may possess the lights for the purpose of employment,
but shall not activate the lights upon the highway unless
authorized to do so under subsection (6).

26 (6) A person shall not sell, loan, or otherwise furnish a27 flashing, rotating, or oscillating blue or red light designed

#### H00395'15 (H-2)

KED

1 primarily for installation on an authorized emergency vehicle to a person except a police officer, sheriff, deputy sheriff, authorized 2 physician, volunteer or paid fire fighter, volunteer ambulance 3 4 driver, licensed ambulance driver or attendant of the state, a 5 county or municipality within the state, a person engaged in the 6 business of operating an ambulance or wrecker service, or a 7 federally recognized nonprofit charitable organization that owns and operates an emergency support vehicle used exclusively for 8 emergencies. This subsection does not prohibit an authorized 9 10 vehicle, equipped with flashing, rotating, or oscillating blue or 11 red lights, from being operated by a person other than a person 12 described in this section if the person receives authorization to 13 operate the emergency vehicle from a police officer, sheriff, 14 deputy sheriff, authorized physician, volunteer or paid fire fighter, volunteer ambulance driver, licensed ambulance driver or 15 attendant, a person operating an ambulance or wrecker service, or a 16 17 federally recognized nonprofit charitable organization that owns 18 and operates an emergency support vehicle used exclusively for 19 emergencies, except that the authorization shall not permit the 20 person to operate lights as described in subsection (5)(a), (b), 21 (c), (i), or (j), or to exercise the privileges described in 22 section 603. A person who operates an authorized emergency vehicle 23 in violation of the terms of an authorization is guilty of a 24 misdemeanor punishable by imprisonment for not more than 90 days or 25 a fine of not more than \$100.00, or both.

26 (7) A private motor vehicle of a security guard agency or27 alarm company licensed under the private security business and

### H00395'15 (H-2)

KED

security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092, may
 display flashing, rotating, or oscillating amber lights. The
 flashing, rotating, or oscillating amber lights shall not be
 activated on a public highway when a vehicle is in motion.

5 (8) This section does not prohibit, restrict, or limit the use
6 of lights authorized or required under sections 697, 697a, and
7 698a.

8 (9) A person who operates a vehicle in violation of subsection
9 (1), (2), (3), or (4) is responsible for a civil infraction.
10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.