

HOUSE BILL NO. 5341

November 14, 2023, Introduced by Reps. BeGole, Prestin, Outman, Neyer, Mueller, Cavitt, Meerman, Kunse, Slagh, Harris, Bezotte, Borton, Posthumus, Kuhn, Shannon, Roth, McKinney, Wozniak, Beson, Schmaltz, Thompson, Zorn, Markkanen, Phil Green, Bruck, Alexander, Martin, VanderWall and Jaime Greene and referred to the Committee on Transportation, Mobility and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2 and 698 (MCL 257.2 and 257.698), section 2 as amended by 2011 PA 231 and section 698 as amended by 2020 PA 382.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) "Authorized emergency vehicle" means any 1 of the
2 following:

3 (a) Vehicles of the fire department, police vehicles,
4 ambulances, privately owned motor vehicles of volunteer or paid

1 fire fighters, or volunteer members of an emergency rescue unit if
2 authorized by the chief of an organized fire department, a county
3 sheriff, or the director of the department of state police, or
4 privately owned motor vehicles of volunteer or paid members of a
5 life support agency licensed by the department of licensing and
6 regulatory affairs if authorized by the life support agency.

7 (b) For purposes of section 698(5)(c) during an emergency, a
8 vehicle owned and operated by a federally recognized nonprofit
9 charitable organization that is used exclusively for assistance
10 during that emergency.

11 (c) For purposes of section 653a, a road service vehicle
12 giving a visual signal by means of a flashing, rotating, or
13 oscillating red or amber light. ~~As used in this subdivision, "road~~
14 ~~service vehicle" means a vehicle that is clearly marked and readily~~
15 ~~recognizable as a vehicle used to assist disabled vehicles.~~

16 (d) **A vehicle that meets both of the following requirements:**

17 (i) **Is owned by the Michigan Mutual Aid Box Alarm System, a**
18 **public agency as that term is defined in section 2 of the urban**
19 **cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.502.**

20 (ii) **Is operated during an interlocal emergency pursuant to an**
21 **interlocal agreement under the urban cooperation act of 1967, 1967**
22 **(Ex Sess) PA 7, MCL 124.501 to 124.512.**

23 (2) As used in this section:

24 (a) "Emergency rescue unit" means an entity with training in a
25 specialized discipline exceeding the level of training for medical
26 first responders.

27 (b) "Life support agency" means that term as defined in
28 section 20906 of the public health code, 1978 PA 368, MCL
29 333.20906.

1 (c) "Medical first responder" means that term as defined in
2 section 20906 of the public health code, 1978 PA 368, MCL
3 333.20906.

4 (d) "Road service vehicle" means a vehicle that is clearly
5 marked and readily recognizable as a vehicle used to assist
6 disabled vehicles.

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

10 (2) A motor vehicle may be equipped with not more than 1
11 running board courtesy lamp on each side that emits a white or
12 amber light without glare.

13 (3) Backing lights of red, amber, or white may be mounted on
14 the rear of a motor vehicle if the switch controlling the light is
15 so arranged that the light may be turned on only if the vehicle is
16 in reverse gear. The backing lights, when unlighted, must be
17 covered or otherwise arranged so as not to reflect objectionable
18 glare in the eyes of an operator of a vehicle approaching from the
19 rear.

20 (4) Unless both covered and unlit, a vehicle operated on ~~the~~
21 ~~highways of this state~~ **a highway** must not be equipped with a lamp
22 or a part designed to be a reflector unless expressly required or
23 permitted by this chapter or that meets the standards prescribed in
24 49 CFR 571.108. Except as otherwise provided, a lamp or a part
25 designed to be a reflector, if visible from the front, must display
26 or reflect a white or amber light; if visible from either side,
27 must display or reflect an amber or red light; and if visible from
28 the rear, must display or reflect a red light.

29 (5) The use or possession of flashing, ~~oscillating,~~ **rotating,**

1 or ~~rotating~~**oscillating** lights of any color is prohibited except as
2 otherwise provided by law or under the following circumstances:

3 (a) A police vehicle must be equipped with flashing, rotating,
4 or oscillating red or blue lights, for use in the performance of
5 police duties.

6 (b) A fire vehicle or ambulance available for public use or
7 for use of the United States, this state, or any unit of this
8 state, whether publicly or privately owned, must be equipped with
9 flashing, rotating, or oscillating red lights and used as required
10 for safety.

11 (c) An authorized emergency vehicle may be equipped with
12 flashing, rotating, or oscillating red lights for use when
13 responding to an emergency call if, when in use, the flashing,
14 rotating, or oscillating red lights are clearly visible in a 360-
15 degree arc from a distance of 500 feet.

16 (d) Flashing, rotating, or oscillating amber or green lights,
17 placed in a position as to be visible throughout an arc of 360
18 degrees, must be used by a state, county, or municipal vehicle
19 engaged in the removal of ice, snow, or other material from ~~the a~~
20 highway and in other operations designed to control ice and snow,
21 or engaged in other non-winter operations. This subdivision does
22 not prohibit the use of a flashing, rotating, or oscillating green
23 light by a fire service.

24 (e) A vehicle used for the cleanup of spills or a necessary
25 emergency response action taken under state or federal law or a
26 vehicle operated by an employee of the department of natural
27 resources or the department of environment, Great Lakes, and energy
28 that responds to a spill, emergency response action, complaint, or
29 compliance activity may be equipped with flashing, rotating, or

1 oscillating amber or green lights. The lights ~~described in this~~
2 ~~subdivision~~ must not be activated unless the vehicle is at the
3 scene of a spill, emergency response action, complaint, or
4 compliance activity. This subdivision does not prohibit the use of
5 a flashing, rotating, or oscillating green light by a fire service.

6 (f) A vehicle **used** to perform public utility service, a
7 vehicle owned or leased by and licensed as a business for use in
8 the collection and hauling of refuse, an automobile service car or
9 wrecker, a vehicle of a peace officer, a vehicle operated by a
10 rural letter carrier or a person under contract to deliver
11 newspapers or other publications by motor route, a vehicle utilized
12 for snow or ice removal under section 682c, a private security
13 guard vehicle as authorized ~~in~~**under** subsection (7), a motor
14 vehicle while engaged in escorting or transporting an oversize load
15 that has been issued a permit by the state transportation
16 department or a local authority with respect to highways under its
17 jurisdiction, a vehicle owned by the National Guard or a United
18 States military vehicle while traveling under the appropriate
19 recognized military authority, a motor vehicle while towing an
20 implement of husbandry, or an implement of husbandry may be
21 equipped with flashing, rotating, or oscillating amber lights.
22 However, a wrecker may be equipped with flashing, rotating, or
23 oscillating red lights that must be activated only when the wrecker
24 is engaged in removing or assisting a vehicle at the scene of a
25 traffic accident or disablement. The flashing, rotating, or
26 oscillating amber lights must not be activated ~~except when~~**unless**
27 the warning produced by the lights is required for public safety. A
28 vehicle engaged in authorized highway repair or maintenance may be
29 equipped with flashing, rotating, or oscillating amber or green

1 lights. This subdivision does not prohibit the operator of a
2 vehicle utilized for snow or ice removal under section 682c that is
3 equipped with flashing, rotating, or oscillating amber lights from
4 activating the flashing, rotating, or oscillating amber lights when
5 that vehicle is traveling between locations at which it is being
6 utilized for snow or ice removal.

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

12 (h) An authorized emergency vehicle may display flashing,
13 rotating, or oscillating white lights in conjunction with an
14 authorized emergency light as prescribed in this section.

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

23 (j) A public transit vehicle may be equipped with a flashing,
24 ~~oscillating, rotating,~~ or ~~rotating~~**oscillating** light mounted on the
25 roof of the vehicle approximately 6 feet from the rear of the
26 vehicle that displays a white light to the front, side, and rear of
27 the vehicle, which light may be actuated by the driver for use only
28 in inclement weather such as fog, rain, or snow, when boarding or
29 discharging passengers, from 1/2 hour before sunset until 1/2 hour

1 after sunrise, or when conditions hinder the visibility of the
2 public transit vehicle. As used in this subdivision, "public
3 transit vehicle" means a motor vehicle, other than a station wagon
4 or passenger van, with a gross vehicle weight rating of more than
5 10,000 pounds.

6 (k) A person engaged in the manufacture, sale, or repair of
7 flashing, rotating, or oscillating lights governed by this
8 subsection may possess the lights for the purpose of employment ~~7~~
9 but shall not activate the lights ~~upon the~~ **on a** highway unless
10 authorized to do so under subsection (6).

11 (l) A vehicle used as part of a neighborhood watch program may
12 be equipped with flashing, rotating, or oscillating amber lights,
13 if the vehicle is clearly identified as a neighborhood watch
14 vehicle and the neighborhood watch program is working in
15 cooperation with local law enforcement. The lights ~~described in~~
16 ~~this subdivision~~ must not be activated when the vehicle is not
17 being used to perform neighborhood watch program duties.

18 **(m) An authorized emergency vehicle owned by the Michigan**
19 **Mutual Aid Box Alarm System and operated as part of an emergency**
20 **response may be equipped with flashing, rotating, or oscillating**
21 **red, white, amber, or green lights.**

22 (6) A person shall not sell, loan, or otherwise furnish a
23 flashing, rotating, or oscillating blue or red light designed
24 primarily for installation on an authorized emergency vehicle to a
25 person except a police officer, sheriff, deputy sheriff, authorized
26 physician, volunteer or paid fire fighter, volunteer ambulance
27 driver, licensed ambulance driver or attendant of this state, a
28 county or municipality within this state, a person engaged in the
29 business of operating an ambulance or wrecker service, ~~or a~~

1 federally recognized nonprofit charitable organization that owns
 2 and operates an emergency support vehicle used exclusively for
 3 emergencies, **or the Michigan Mutual Aid Box Alarm System**. This
 4 subsection does not prohibit an authorized emergency vehicle ~~7~~
 5 equipped with flashing, rotating, or oscillating blue or red lights
 6 ~~7~~ from being operated by a person other than a person described in
 7 this section if the person receives authorization to operate the
 8 authorized emergency vehicle from a police officer, sheriff, deputy
 9 sheriff, authorized physician, volunteer or paid fire fighter,
 10 volunteer ambulance driver, licensed ambulance driver or attendant,
 11 a person operating an ambulance or wrecker service, ~~or~~ a federally
 12 recognized nonprofit charitable organization that owns and operates
 13 an emergency support vehicle used exclusively for emergencies, **or**
 14 **the Michigan Mutual Aid Box Alarm System**, except that the
 15 authorization must not permit the person to operate lights as
 16 described in subsection (5) (a), (b), (c), (i), ~~or (j)~~, **or (m)**, or
 17 to exercise the privileges described in section 603.

18 (7) A private motor vehicle of a security guard agency or
 19 alarm company licensed under the private security business and
 20 security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092, may
 21 display flashing, rotating, or oscillating amber lights. The
 22 ~~flashing, rotating, or oscillating amber lights~~ must not be
 23 activated on a public highway when ~~a~~ **the** vehicle is in motion.

24 (8) This section does not prohibit, restrict, or limit the use
 25 of lights authorized or required under sections 697, 697a, and
 26 698a.

27 (9) A person who operates a vehicle in violation of this
 28 section is responsible for a civil infraction. ~~and shall be ordered~~
 29 ~~to pay a civil fine of not more than \$100.00.~~

1 Enacting section 1. This amendatory act does not take effect
2 unless Senate Bill No. _____ or House Bill No. 5342 (request no.
3 03741'23) of the 102nd Legislature is enacted into law.