

HOUSE BILL No. 4130

February 17, 1987, Introduced by Reps. Joe Young, Sr., DeMars, Harrison, Watkins, Perry Bullard, Maynard and Joe Young, Jr. and referred to the Committee on Transportation.

A bill to amend sections 2 and 698 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," section 698 as amended by Act No. 326 of the Public Acts of 1984, being sections 257.2 and 257.698 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2 and 698 of Act No. 300 of the Public
2 Acts of 1949, section 698 as amended by Act No. 326 of the Public
3 Acts of 1984, being sections 257.2 and 257.698 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 2. "Authorized emergency vehicle" means ~~vehicles~~ A
6 VEHICLE of ~~the~~ A fire department, A police ~~vehicles,~~
7 ~~ambulances,~~ VEHICLE, AN AMBULANCE, OR A privately owned motor
8 ~~vehicles~~ VEHICLE of A POLICE CHAPLAIN; OR IF AUTHORIZED BY THE
9 DEPARTMENT OF STATE POLICE, A PRIVATELY OWNED MOTOR VEHICLE OF A

1 volunteer or paid ~~firemen, or privately owned motor vehicles of~~
2 FIREFIGHTER, A volunteer ambulance ~~drivers~~ DRIVER, or A
3 licensed ambulance ~~drivers or attendants as are authorized by~~
4 ~~the department of state police~~ DRIVER OR ATTENDANT.

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.

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

11 (3) Backing lights of red, amber, or white may be mounted on
12 the rear of a motor vehicle if the switch controlling the light
13 is so arranged that the light may be turned on only if the vehi-
14 cle is in reverse gear. The backing lights when unlighted shall
15 be covered or otherwise arranged so as not to reflect objection-
16 able glare in the eyes of a driver of a vehicle approaching from
17 the rear.

18 (4) A lamp or reflector on a vehicle, other than those
19 expressly required or permitted by this chapter, if visible from
20 the front, shall display or reflect a white or amber light; if
21 visible from either side, shall display or reflect an amber or
22 red light; and if visible from the rear, shall display or reflect
23 a red light, except as otherwise provided by law.

24 (5) The use or possession of flashing, oscillating, or
25 rotating red, blue, or amber lights is prohibited except under
26 the following circumstances:

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

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

9 (c) A school bus shall be equipped with flashing red lights
10 which shall be actuated by the driver only when the school bus is
11 stopped or stopping on a highway pursuant to section 682. A
12 school bus may also be equipped with a flashing, oscillating, or
13 rotating light mounted on the roof of the bus approximately 6
14 feet from the rear of the vehicle which displays a white light to
15 the front, side, and rear of the bus which light may be actuated
16 by the driver for use only in inclement weather such as fog,
17 rain, or snow, or when the school bus is stopped or stopping on a
18 highway pursuant to section 682, or where conditions hinder the
19 visibility of the school bus.

20 (d) If authorized by the department of state police, a pri-
21 vate motor vehicle owned by a volunteer or paid fire fighter, a
22 volunteer ambulance driver, or a licensed ambulance driver or
23 attendant, or an emergency support vehicle used exclusively for
24 emergencies and owned and operated by a federally recognized non-
25 profit charitable organization may be equipped with flashing,
26 rotating, or oscillating red lights for use when responding to an
27 emergency call if, when in use, the flashing, rotating, or

1 oscillating red lights are mounted on the roof section of the
2 vehicle, either as a permanent installation or by means of suc-
3 tion cups or magnets and are clearly visible in a 360 degree arc
4 from a distance of 500 feet. ~~when in use.~~ A person operating
5 lights under this subdivision, at any time other than when
6 responding to an emergency call, is guilty of a misdemeanor.

7 (e) Flashing, rotating, or oscillating amber lights, placed
8 in a position SO as to be visible throughout an arc of 360
9 degrees, shall be used by a state, county, or municipal vehicle
10 engaged in the removal of ice, snow, or other material from the
11 highway and in other operations designed to control ice and
12 snow.

13 (f) A vehicle used to perform public utility service, an
14 automobile service car or wrecker, a vehicle engaged in autho-
15 rized highway repair or maintenance, a vehicle of a peace offi-
16 cer, a vehicle operated by a rural letter carrier, a vehicle uti-
17 lized for snow removal, a private security guard vehicle as
18 authorized in subsection (7), or a farm tractor may be equipped
19 with flashing, rotating, or oscillating amber lights. However, a
20 wrecker may be equipped with flashing, rotating, or oscillating
21 red lights which shall be activated only when the wrecker is
22 engaged in removing or assisting a vehicle at the scene of a
23 traffic accident or disablement. The flashing, rotating, or
24 oscillating amber lights shall not be activated except in those
25 circumstances that the warning produced by the lights is required
26 for public safety.

1 (g) A police vehicle, an ambulance, or a fire vehicle may
2 display a flashing, rotating, or oscillating white light in
3 conjunction with an authorized emergency light as prescribed in
4 this section.

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

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

18 (J) A PRIVATE MOTOR VEHICLE OF A POLICE CHAPLAIN RESPONDING
19 TO AN EMERGENCY CALL MAY BE EQUIPPED WITH AND THE POLICE CHAPLAIN
20 MAY USE FLASHING, ROTATING, OR OSCILLATING RED LIGHTS MOUNTED ON
21 THE ROOF SECTION OF THE VEHICLE EITHER AS A PERMANENT INSTALLA-
22 TION OR BY MEANS OF MAGNETS OR SUCTION CUPS AND CLEARLY VISIBLE
23 IN A 360-DEGREE ARC FROM A DISTANCE OF 500 FEET WHEN IN USE.

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, POLICE

1 CHAPLAIN, authorized physician, volunteer or paid fire fighter,
2 volunteer ambulance driver, licensed ambulance driver or atten-
3 dant of the state, a county or municipality within the state, a
4 person engaged in the business of operating an ambulance or
5 wrecker service, or a federally recognized nonprofit charitable
6 organization which owns and operates an emergency support vehicle
7 used exclusively for emergencies. This subsection does not pro-
8 hibit 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, POLICE CHAPLAIN, autho-
13 rized physician, volunteer or paid fire fighter, volunteer ambu-
14 lance driver, licensed ambulance driver or attendant, a person
15 operating an ambulance or wrecker service, or a federally recog-
16 nized nonprofit charitable organization which owns and operates
17 an emergency support vehicle used exclusively for emergencies,
18 except that the authorization shall not permit the person to
19 operate lights as described in subsection (5)(a), (b), (d), (g),
20 ~~or~~ (h), OR (J), or to exercise the privileges described in sec-
21 tion 603. A person who operates an authorized emergency vehicle
22 in violation of the terms of an authorization is guilty of a
23 misdemeanor.

24 (7) A private motor vehicle of a security guard agency or
25 alarm company licensed pursuant to THE PRIVATE SECURITY GUARD ACT
26 OF 1968, Act No. 330 of the Public Acts of 1968, being sections
27 338.1051 to 338.1085 of the Michigan Compiled Laws, may display

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

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

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