

# HOUSE BILL No. 5032

July 11, 1991, Introduced by Reps. Byrum, Middaugh, Bender, Joe Young, Jr., Hertel and Olshove 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. 335 of the Public Acts of 1990, 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. 335 of the Public Acts of 1990, 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) A lamp or reflector on a vehicle, other than those  
12 expressly required or permitted by this chapter, if visible from  
13 the front, shall display or reflect a white or amber light; if  
14 visible from either side, shall display or reflect an amber or  
15 red light; and if visible from the rear, shall display or reflect  
16 a red light, except as otherwise provided by law.

17 (5) The use or possession of flashing, oscillating, or  
18 rotating ~~red, blue, or amber~~ lights DESCRIBED IN THIS  
19 SUBSECTION is prohibited except AS OTHERWISE PROVIDED BY LAW, OR  
20 under the following circumstances:

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

24 (b) A fire vehicle or ambulance available for public use or  
25 for use of the United States, the state, or any unit of the  
26 state, whether publicly or privately owned, shall be equipped

1 with flashing, rotating, or oscillating red lights and used as  
2 required for safety.

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

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

22 (E) A VEHICLE USED FOR THE AUTHORIZED CLEANUP OF HAZARDOUS  
23 MATERIAL SPILLS OR A VEHICLE OPERATED BY AN EMPLOYEE OF THE  
24 DEPARTMENT OF NATURAL RESOURCES THAT RESPONDS TO HAZARDOUS MATE-  
25 RIAL SPILLS MAY BE EQUIPPED WITH FLASHING, ROTATING, OR OSCILLAT-  
26 ING AMBER LIGHTS. SUCH LIGHTS SHALL NOT BE ACTIVATED UNLESS THE  
27 VEHICLE IS AT THE SCENE OF A POSSIBLE HAZARDOUS MATERIAL SPILL OR

1 WHILE ENGAGED IN THE AUTHORIZED CLEANUP OF A HAZARDOUS MATERIAL  
2 SPILL.

3 (F) ~~(e)~~ A vehicle to perform public utility service, a  
4 vehicle ~~used~~ OWNED BY AND LICENSED AS A BUSINESS FOR USE in the  
5 collection and hauling of refuse, an automobile service car or  
6 wrecker, a vehicle engaged in authorized highway repair or main-  
7 tenance, a vehicle of a peace officer, a vehicle operated by a  
8 rural letter carrier or a person under contract to deliver news-  
9 papers or other publications by motor route, a vehicle utilized  
10 for snow removal, a private security guard vehicle as authorized  
11 in subsection (7), A HEARSE OR FUNERAL COACH, or a farm tractor  
12 may be equipped with flashing, rotating, or oscillating amber  
13 lights. However, a wrecker may be equipped with flashing, rotat-  
14 ing, or oscillating red lights which shall be activated only when  
15 the wrecker is engaged in removing or assisting a vehicle at the  
16 scene of a traffic accident or disablement. The flashing, rotat-  
17 ing, or oscillating amber lights shall not be activated except in  
18 those circumstances that the warning produced by the lights is  
19 required for public safety.

20 (G) ~~(f) A police vehicle, an ambulance, or a fire~~ AN  
21 AUTHORIZED EMERGENCY vehicle may display a flashing, rotating, or  
22 oscillating white light in conjunction with an authorized emer-  
23 gency light as prescribed in this section.

24 (H) ~~(g)~~ A private motor vehicle of a physician responding  
25 to an emergency call may be equipped with and the physician may  
26 use flashing, rotating, or oscillating red lights mounted on the  
27 roof section of the vehicle either as a permanent installation or

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

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

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

1 ambulance or wrecker service, or a federally recognized nonprofit  
2 charitable organization which owns and operates an emergency sup-  
3 port vehicle used exclusively for emergencies, except that the  
4 authorization shall not permit the person to operate lights as  
5 described in subsection (5)(a), (b), (c), ~~(f)~~ (G), or ~~(g)~~  
6 (H), or to exercise the privileges described in section 603. A  
7 person who operates an authorized emergency vehicle in violation  
8 of the terms of an authorization is guilty of a misdemeanor.

9       (7) A private motor vehicle of a security guard agency or  
10 alarm company licensed pursuant to THE PRIVATE SECURITY GUARD ACT  
11 OF 1968, Act No. 330 of the Public Acts of 1968, being sections  
12 338.1051 to 338.1085 of the Michigan Compiled Laws, may display  
13 flashing, rotating, or oscillating amber lights. The flashing,  
14 rotating, or oscillating amber lights shall not be activated on a  
15 public highway when a vehicle is in motion.

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

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