



# HOUSE BILL No. 5829

April 30, 1996, Introduced by Rep. McNutt 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. 101 of the Public Acts of 1994, 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. 101 of the Public  
3 Acts of 1994, 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~~  
6 EITHER OF THE FOLLOWING:

7 (A) VEHICLES of the fire department, police vehicles,  
8 ambulances, OR privately owned motor vehicles of volunteer or  
9 paid ~~firemen~~ FIRE FIGHTERS, or ~~privately owned motor vehicles~~

1 ~~of volunteer ambulance drivers or licensed ambulance drivers or~~  
2 ~~attendants as are authorized~~ MEMBERS OF EMERGENCY MEDICAL SERV-  
3 ICE AGENCIES LICENSED by the department of ~~state police~~ PUBLIC  
4 HEALTH.

5 (B) FOR PURPOSES OF SECTION 698(5)(C) DURING AN EMERGENCY, A  
6 VEHICLE OWNED AND OPERATED BY A FEDERALLY RECOGNIZED NONPROFIT  
7 CHARITABLE ORGANIZATION THAT IS USED EXCLUSIVELY FOR ASSISTANCE  
8 DURING THAT EMERGENCY.

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

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

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

22 (4) Unless both covered and unlit, a vehicle driven on the  
23 highways of this state shall not be equipped with a lamp or a  
24 part designed to be a reflector unless expressly required or per-  
25 mitted by this chapter or that meets the standards prescribed in  
26 49 C.F.R. 571.108. A lamp or a part designed to be a reflector,  
27 if visible from the front, shall display or reflect a white or

1 amber light; if visible from either side, shall display or  
2 reflect an amber or red light; and if visible from the rear,  
3 shall display or reflect a red light, except as otherwise pro-  
4 vided by law.

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

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

11 (b) A fire vehicle or ambulance available for public use or  
12 for use of the United States, the state, or any unit of the  
13 state, whether publicly or privately owned, shall be equipped  
14 with flashing, rotating, or oscillating red lights and used as  
15 required for safety.

16 ~~(c) If authorized by the department of state police, a pri-~~  
17 ~~vate motor vehicle owned by a volunteer or paid fire fighter, a~~  
18 ~~volunteer ambulance driver, or a licensed ambulance driver or~~  
19 ~~attendant, or an emergency support vehicle used exclusively for~~  
20 ~~emergencies and owned and operated by a federally recognized non-~~  
21 ~~profit charitable organization~~ AN AUTHORIZED EMERGENCY VEHICLE  
22 AS DEFINED IN SECTION 2 may be equipped with flashing, rotating,  
23 or oscillating red lights for use when responding to an emergency  
24 call if when in use the flashing, rotating, or oscillating red  
25 lights are mounted on the roof section of the vehicle, either as  
26 a permanent installation or by means of suction cups or magnets  
27 and are clearly visible in a 360 degree arc from a distance of

1 500 feet when in use. A person operating lights under this  
2 subdivision at any time other than when responding to an emer-  
3 gency call is guilty of a misdemeanor.

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

9 (e) A vehicle used for the cleanup of spills or a necessary  
10 emergency response action taken pursuant to state or federal law  
11 or a vehicle operated by an employee of the department of natural  
12 resources that responds to a spill, emergency response action,  
13 complaint, or compliance activity may be equipped with flashing,  
14 rotating, or oscillating amber lights. Such lights shall not be  
15 activated unless the vehicle is at the scene of a spill, emer-  
16 gency response action, complaint, or compliance activity.

17 (f) A vehicle to perform public utility service, a vehicle  
18 owned or leased by and licensed as a business for use in the col-  
19 lection and hauling of refuse, an automobile service car or  
20 wrecker, a vehicle engaged in authorized highway repair or main-  
21 tenance, a vehicle of a peace officer, a vehicle operated by a  
22 rural letter carrier or a person under contract to deliver news-  
23 papers or other publications by motor route, a vehicle utilized  
24 for snow removal, a private security guard vehicle as authorized  
25 in subsection (7), a hearse or funeral coach, a motor vehicle  
26 while engaged in escorting or transporting an oversize load that  
27 has been issued a permit by the state transportation department

1 or a local authority with respect to highways under its  
2 jurisdiction, a vehicle owned by the national guard or a United  
3 States military vehicle while traveling under the appropriate  
4 recognized military authority, a motor vehicle while towing an  
5 implement of husbandry, or an implement of husbandry may be  
6 equipped with flashing, rotating, or oscillating amber lights.  
7 However, a wrecker may be equipped with flashing, rotating, or  
8 oscillating red lights which shall be activated only when the  
9 wrecker is engaged in removing or assisting a vehicle at the  
10 scene of a traffic accident or disablement. The flashing, rotat-  
11 ing, or oscillating amber lights shall not be activated except in  
12 those circumstances that the warning produced by the lights is  
13 required for public safety.

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

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

25 (i) A person engaged in the manufacture, sale, or repair of  
26 flashing, rotating, or oscillating lights governed by this  
27 subsection may possess the lights for the purpose of employment,

1 but shall not activate the lights upon the highway unless  
2 authorized to do so under subsection (6).

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

1 operates an authorized emergency vehicle in violation of the  
2 terms of an authorization is guilty of a misdemeanor.

3 (7) A private motor vehicle of a security guard agency or  
4 alarm company licensed pursuant to the private security guard act  
5 of 1968, Act No. 330 of the Public Acts of 1968, being sections  
6 338.1051 to 338.1085 of the Michigan Compiled Laws, may display  
7 flashing, rotating, or oscillating amber lights. The flashing,  
8 rotating, or oscillating amber lights shall not be activated on a  
9 public highway when a vehicle is in motion.

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

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