

SENATE BILL NO. 814

November 13, 1997, Introduced by Senator MC MANUS and referred to the Committee on Transportation and Tourism.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 1997 PA 8.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 698. (1) A motor vehicle may be equipped with not more
2 than 2 side cowl or fender lamps which shall emit an amber or
3 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 which shall emit a white
6 or 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
9 is so arranged that the light may be turned on only if the
10 vehicle is in reverse gear. The backing lights when unlighted
11 shall be covered or otherwise arranged so as not to reflect

1 objectionable glare in the eyes of a driver of a vehicle
2 approaching from the rear.

3 (4) Unless both covered and unlit, a vehicle driven on the
4 highways of this state shall not be equipped with a lamp or a
5 part designed to be a reflector unless expressly required or per-
6 mitted by this chapter or that meets the standards prescribed in
7 49 C.F.R. 571.108. A lamp or a part designed to be a reflector,
8 if visible from the front, shall display or reflect a white or
9 amber light; if visible from either side, shall display or
10 reflect an amber or red light; and if visible from the rear,
11 shall display or reflect a red light, except as otherwise pro-
12 vided 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, rotat-
17 ing, or oscillating red or blue lights, for use in the per-
18 formance 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
21 state, whether publicly or privately owned, shall be equipped
22 with flashing, rotating, or oscillating red lights and used as
23 required for safety.

24 (c) An authorized emergency vehicle as defined in section 2
25 may be equipped with flashing, rotating, or oscillating red
26 lights for use when responding to an emergency call if when in
27 use the flashing, rotating, or oscillating red lights are mounted

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

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

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

20 (f) A vehicle to perform public utility service, a vehicle
21 owned or leased by and licensed as a business for use in the col-
22 lection and hauling of refuse, an automobile service car or
23 wrecker, a vehicle engaged in authorized highway repair or main-
24 tenance, a vehicle of a peace officer, a vehicle operated by a
25 rural letter carrier or a person under contract to deliver news-
26 papers or other publications by motor route, a vehicle utilized
27 for snow removal, a private security guard vehicle as authorized

1 in subsection (7), ~~a hearse or funeral coach,~~ a motor vehicle
2 while engaged in escorting or transporting an oversize load that
3 has been issued a permit by the state transportation department
4 or a local authority with respect to highways under its jurisdic-
5 tion, a vehicle owned by the national guard or a United States
6 military vehicle while traveling under the appropriate recognized
7 military authority, a motor vehicle while towing an implement of
8 husbandry, or an implement of husbandry may be equipped with
9 flashing, rotating, or oscillating amber lights. However, a
10 wrecker may be equipped with flashing, rotating, or oscillating
11 red lights which shall be activated only when the wrecker is
12 engaged in removing or assisting a vehicle at the scene of a
13 traffic accident or disablement. The flashing, rotating, or
14 oscillating amber lights shall not be activated except in those
15 circumstances that the warning produced by the lights is required
16 for public safety.

17 (G) A VEHICLE ENGAGED IN LEADING OR ESCORTING A FUNERAL PRO-
18 CESSION OR ANY VEHICLE THAT IS PART OF A FUNERAL PROCESSION MAY
19 BE EQUIPPED WITH FLASHING, ROTATING, OR OSCILLATING PURPLE OR
20 AMBER LIGHTS, WHICH SHALL NOT BE ACTIVATED EXCEPT DURING A
21 FUNERAL PROCESSION.

22 (H) ~~(g)~~ An authorized emergency vehicle may display flash-
23 ing, rotating, or oscillating white lights in conjunction with an
24 authorized emergency light as prescribed in this section.

25 (I) ~~(h)~~ A private motor vehicle of a physician responding
26 to an emergency call may be equipped with and the physician may
27 use flashing, rotating, or oscillating red lights mounted on the

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

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

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

1 licensed ambulance driver or attendant, a person operating an
2 ambulance or wrecker service, or a federally recognized nonprofit
3 charitable organization ~~which~~ THAT owns and operates an emer-
4 gency support vehicle used exclusively for emergencies, except
5 that the authorization shall not permit the person to operate
6 lights as described in subsection (5)(a), (b), (c), ~~(g), or~~
7 (h), OR (I), or to exercise the privileges described in section
8 603. A person who operates an authorized emergency vehicle in
9 violation of the terms of an authorization is guilty of a
10 misdemeanor.

11 (7) A private motor vehicle of a security guard agency or
12 alarm company licensed pursuant to the private security guard act
13 of 1968, 1968 PA 330, MCL 338.1051 to 338.1085, may display
14 flashing, rotating, or oscillating amber lights. The flashing,
15 rotating, or oscillating amber lights shall not be activated on a
16 public highway when a vehicle is in motion.

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

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