

SUBSTITUTE FOR
HOUSE BILL NO. 4176

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 698 (MCL 257.698), as amended by 2017 PA 37.

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 that ~~shall emit~~ an amber or white
3 light without glare.

4 (2) A motor vehicle may be equipped with not more than 1
5 running board courtesy lamp on each side that ~~shall emit~~ **EMITS** a
6 white 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 is
9 so arranged that the light may be turned on only if the vehicle is
10 in reverse gear. The backing lights when unlighted shall be covered

1 or otherwise arranged so as not to reflect objectionable glare in
2 the eyes of an operator of a vehicle approaching from the rear.

3 (4) Unless both covered and unlit, a vehicle operated on the
4 highways of this state shall not be equipped with a lamp or a part
5 designed to be a reflector unless expressly required or permitted
6 by this chapter or that meets the standards prescribed in 49 CFR
7 571.108. A lamp or a part designed to be a reflector, if visible
8 from the front, shall display or reflect a white or amber light; if
9 visible from either side, shall display or reflect an amber or red
10 light; and if visible from the rear, shall display or reflect a red
11 light, except as otherwise provided by law.

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

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

18 (b) A fire vehicle or ambulance available for public use or
19 for use of the United States, this state, or any unit of this
20 state, whether publicly or privately owned, shall be equipped with
21 flashing, rotating, or oscillating red lights and used as required
22 for safety.

23 (c) An authorized emergency vehicle may be equipped with
24 flashing, rotating, or oscillating red lights for use when
25 responding to an emergency call if when in use the flashing,
26 rotating, or oscillating red lights are clearly visible in a 360-
27 degree arc from a distance of 500 feet when in use. A person

1 operating lights under this subdivision at any time other than when
2 responding to an emergency call is guilty of a misdemeanor.

3 (d) Flashing, rotating, or oscillating amber or green lights,
4 placed in a position as to be visible throughout an arc of 360
5 degrees, shall be used by a state, county, or municipal vehicle
6 engaged in the removal of ice, snow, or other material from the
7 highway and in other operations designed to control ice and snow,
8 or engaged in other non-winter operations. This subdivision does
9 not prohibit the use of a flashing, rotating, or oscillating green
10 light by a fire service.

11 (e) A vehicle used for the cleanup of spills or a necessary
12 emergency response action taken pursuant to state or federal law or
13 a vehicle operated by an employee of the department of natural
14 resources or the department of environmental quality that responds
15 to a spill, emergency response action, complaint, or compliance
16 activity may be equipped with flashing, rotating, or oscillating
17 amber or green lights. The lights described in this subdivision
18 shall not be activated unless the vehicle is at the scene of a
19 spill, emergency response action, complaint, or compliance
20 activity. This subdivision does not prohibit the use of a flashing,
21 rotating, or oscillating green light by a fire service.

22 (f) A vehicle to perform public utility service, a vehicle
23 owned or leased by and licensed as a business for use in the
24 collection and hauling of refuse, an automobile service car or
25 wrecker, a vehicle engaged in authorized highway repair or
26 maintenance, a vehicle of a peace officer, a vehicle operated by a
27 rural letter carrier or a person under contract to deliver

1 newspapers or other publications by motor route, a vehicle utilized
2 for snow or ice removal under section 682c, a private security
3 guard vehicle as authorized in subsection (7), a motor vehicle
4 while engaged in escorting or transporting an oversize load that
5 has been issued a permit by the state transportation department or
6 a local authority with respect to highways under its jurisdiction,
7 a vehicle owned by the national guard or a United States military
8 vehicle while traveling under the appropriate recognized military
9 authority, a motor vehicle while towing an implement of husbandry,
10 or an implement of husbandry may be equipped with flashing,
11 rotating, or oscillating amber lights. However, a wrecker may be
12 equipped with flashing, rotating, or oscillating red lights that
13 shall be activated only when the wrecker is engaged in removing or
14 assisting a vehicle at the scene of a traffic accident or
15 disablement. The flashing, rotating, or oscillating amber lights
16 shall not be activated except when the warning produced by the
17 lights is required for public safety.

18 (g) A vehicle engaged in leading or escorting a funeral
19 procession or any vehicle that is part of a funeral procession may
20 be equipped with flashing, rotating, or oscillating purple or amber
21 lights that shall not be activated except during a funeral
22 procession.

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

26 (i) A private motor vehicle of a physician responding to an
27 emergency call may be equipped with and the physician may use

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

6 (j) A public transit vehicle may be equipped with a flashing,
7 oscillating, or rotating light mounted on the roof of the vehicle
8 approximately 6 feet from the rear of the vehicle that displays a
9 white light to the front, side, and rear of the vehicle, which
10 light may be actuated by the driver for use only in inclement
11 weather such as fog, rain, or snow, when boarding or discharging
12 passengers, from 1/2 hour before sunset until 1/2 hour after
13 sunrise, or when conditions hinder the visibility of the public
14 transit vehicle. As used in this subdivision, "public transit
15 vehicle" means a motor vehicle, other than a station wagon or
16 passenger van, with a gross vehicle weight rating of more than
17 10,000 pounds.

18 (k) A person engaged in the manufacture, sale, or repair of
19 flashing, rotating, or oscillating lights governed by this
20 subsection may possess the lights for the purpose of employment,
21 but shall not activate the lights upon the highway unless
22 authorized to do so under subsection (6).

23 **(l) A VEHICLE USED AS PART OF A NEIGHBORHOOD WATCH PROGRAM MAY**
24 **BE EQUIPPED WITH FLASHING, ROTATING, OR OSCILLATING AMBER LIGHTS,**
25 **IF THE VEHICLE IS CLEARLY IDENTIFIED AS A NEIGHBORHOOD WATCH**
26 **VEHICLE AND THE NEIGHBORHOOD WATCH PROGRAM IS WORKING IN**
27 **COOPERATION WITH LOCAL LAW ENFORCEMENT. THE LIGHTS DESCRIBED IN**

1 **THIS SUBDIVISION SHALL NOT BE ACTIVATED WHEN THE VEHICLE IS NOT**
2 **BEING USED TO PERFORM NEIGHBORHOOD WATCH PROGRAM DUTIES.**

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 a
6 person except a police officer, sheriff, deputy sheriff, authorized
7 physician, volunteer or paid fire fighter, volunteer ambulance
8 driver, licensed ambulance driver or attendant of the state, a
9 county or municipality within the state, a person engaged in the
10 business of operating an ambulance or wrecker service, or a
11 federally recognized nonprofit charitable organization that owns
12 and operates an emergency support vehicle used exclusively for
13 emergencies. This subsection does not prohibit an authorized
14 vehicle, equipped with flashing, rotating, or oscillating blue or
15 red lights, from being operated by a person other than a person
16 described in this section if the person receives authorization to
17 operate the emergency vehicle from a police officer, sheriff,
18 deputy sheriff, authorized physician, volunteer or paid fire
19 fighter, volunteer ambulance driver, licensed ambulance driver or
20 attendant, a person operating an ambulance or wrecker service, or a
21 federally recognized nonprofit charitable organization that owns
22 and operates an emergency support vehicle used exclusively for
23 emergencies, except that the authorization shall not permit the
24 person to operate lights as described in subsection (5)(a), (b),
25 (c), (i), or (j), or to exercise the privileges described in
26 section 603. A person who operates an authorized emergency vehicle
27 in violation of the terms of an authorization is guilty of a

1 misdemeanor punishable by imprisonment for not more than 90 days or
2 a fine of not more than \$100.00, or both.

3 (7) A private motor vehicle of a security guard agency or
4 alarm company licensed under the private security business and
5 security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092, may
6 display flashing, rotating, or oscillating amber lights. The
7 flashing, rotating, or oscillating amber lights shall not be
8 activated on a public highway when a vehicle is in motion.

9 (8) This section does not prohibit, restrict, or limit the use
10 of lights authorized or required under sections 697, 697a, and
11 698a.

12 (9) A person who operates a vehicle in violation of subsection
13 (1), (2), (3), or (4) is responsible for a civil infraction.

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.