

# HOUSE BILL No. 4176

February 8, 2017, Introduced by Rep. Kosowski and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 698 (MCL 257.698), as amended by 2016 PA 161.

## 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  
11      or otherwise arranged so as not to reflect objectionable glare in

1 the eyes of an operator of a vehicle approaching from the rear.

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

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

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

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

22 (c) An authorized emergency vehicle may be equipped with  
23 flashing, rotating, or oscillating red lights for use when  
24 responding to an emergency call if when in use the flashing,  
25 rotating, or oscillating red lights are mounted on the roof section  
26 of the vehicle, either as a permanent installation or by means of  
27 suction cups or magnets and are clearly visible in a 360-degree arc

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

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

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

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

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

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

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

27 (i) A private motor vehicle of a physician responding to an

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

7 (j) A public transit vehicle may be equipped with a flashing,  
8 oscillating, or rotating light mounted on the roof of the vehicle  
9 approximately 6 feet from the rear of the vehicle that displays a  
10 white light to the front, side, and rear of the vehicle, which  
11 light may be actuated by the driver for use only in inclement  
12 weather such as fog, rain, or snow, when boarding or discharging  
13 passengers, from 1/2 hour before sunset until 1/2 hour after  
14 sunrise, or when conditions hinder the visibility of the public  
15 transit vehicle. As used in this subdivision, "public transit  
16 vehicle" means a motor vehicle, other than a station wagon or  
17 passenger van, with a gross vehicle weight rating of more than  
18 10,000 pounds.

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

24 **(l) A VEHICLE USED AS PART OF A NEIGHBORHOOD WATCH PROGRAM MAY**  
25 **BE EQUIPPED WITH FLASHING, ROTATING, OR OSCILLATING AMBER LIGHTS.**  
26 **THE LIGHTS DESCRIBED IN THIS SUBDIVISION SHALL NOT BE ACTIVATED**  
27 **WHEN THE VEHICLE IS NOT BEING USED TO PERFORM NEIGHBORHOOD WATCH**

1   **PROGRAM DUTIES.**

2           (6) A person shall not sell, loan, or otherwise furnish a  
3   flashing, rotating, or oscillating blue or red light designed  
4   primarily for installation on an authorized emergency vehicle to a  
5   person except a police officer, sheriff, deputy sheriff, authorized  
6   physician, volunteer or paid fire fighter, volunteer ambulance  
7   driver, licensed ambulance driver or attendant of the state, a  
8   county or municipality within the state, a person engaged in the  
9   business of operating an ambulance or wrecker service, or a  
10   federally recognized nonprofit charitable organization that owns  
11   and operates an emergency support vehicle used exclusively for  
12   emergencies. This subsection does not prohibit an authorized  
13   vehicle, equipped with flashing, rotating, or oscillating blue or  
14   red lights, from being operated by a person other than a person  
15   described in this section if the person receives authorization to  
16   operate the emergency vehicle from a police officer, sheriff,  
17   deputy sheriff, authorized physician, volunteer or paid fire  
18   fighter, volunteer ambulance driver, licensed ambulance driver or  
19   attendant, a person operating an ambulance or wrecker service, or a  
20   federally recognized nonprofit charitable organization that owns  
21   and operates an emergency support vehicle used exclusively for  
22   emergencies, except that the authorization shall not permit the  
23   person to operate lights as described in subsection (5) (a), (b),  
24   (c), (i), or (j), or to exercise the privileges described in  
25   section 603. A person who operates an authorized emergency vehicle  
26   in violation of the terms of an authorization is guilty of a  
27   misdemeanor punishable by imprisonment for not more than 90 days or

1 a fine of not more than \$100.00, or both.

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

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

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

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