

# HOUSE BILL No. 5766

April 10, 2018, Introduced by Reps. Cole, LaGrand, Sheppard, Miller, Victory, Alexander and Howrylak and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 698 and 717 (MCL 257.698 and 257.717), section  
698 as amended by 2017 PA 37 and section 717 as amended by 2014 PA  
391.

## 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.

1           (3) Backing lights of red, amber, or white may be mounted on  
2 the rear of a motor vehicle if the switch controlling the light is  
3 ~~so~~ arranged **so** that the light may be turned on only if the vehicle  
4 is in reverse gear. The backing lights when unlighted shall be  
5 covered or otherwise arranged so as not to reflect objectionable  
6 glare in the eyes of an operator of a vehicle approaching from the  
7 rear.

8           (4) Unless both covered and unlit, a vehicle operated on the  
9 highways of this state shall not be equipped with a lamp or a part  
10 designed to be a reflector unless expressly required or permitted  
11 by this chapter or that meets the standards prescribed in 49 CFR  
12 571.108. A lamp or a part designed to be a reflector, if visible  
13 from the front, shall display or reflect a white or amber light; if  
14 visible from either side, shall display or reflect an amber or red  
15 light; and if visible from the rear, shall display or reflect a red  
16 light, except as otherwise provided by law.

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

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

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

1 (c) An authorized emergency vehicle may be equipped with  
2 flashing, rotating, or oscillating red lights for use when  
3 responding to an emergency call if when in use the flashing,  
4 rotating, or oscillating red lights are clearly visible in a 360-  
5 degree arc from a distance of 500 feet when in use. A person  
6 operating lights under this subdivision at any time other than when  
7 responding to an emergency call is guilty of a misdemeanor.

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

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

27 (f) A vehicle to perform public utility service, a vehicle

1 owned or leased by and licensed as a business for use in the  
2 collection and hauling of refuse, an automobile service car or  
3 wrecker, a vehicle engaged in authorized highway repair or  
4 maintenance, a vehicle of a peace officer, a vehicle operated by a  
5 rural letter carrier or a person under contract to deliver  
6 newspapers or other publications by motor route, a vehicle utilized  
7 for snow or ice removal under section 682c, a private security  
8 guard vehicle as authorized in subsection (7), a motor vehicle  
9 while engaged in escorting or transporting an oversize load that  
10 has been issued a permit by the state transportation department or  
11 a local authority with respect to highways under its jurisdiction,  
12 a vehicle owned by the national guard or a United States military  
13 vehicle while traveling under the appropriate recognized military  
14 authority, a motor vehicle while towing an implement of husbandry,  
15 or an implement of husbandry may be equipped with flashing,  
16 rotating, or oscillating amber lights. However, a wrecker may be  
17 equipped with flashing, rotating, or oscillating red lights that  
18 shall be activated only when the wrecker is engaged in removing or  
19 assisting a vehicle at the scene of a traffic accident or  
20 disablement. The flashing, rotating, or oscillating amber lights  
21 shall not be activated except when the warning produced by the  
22 lights is required for public safety. **THIS SUBDIVISION DOES NOT**  
23 **PROHIBIT THE OPERATOR OF A VEHICLE UTILIZED FOR SNOW OR ICE REMOVAL**  
24 **UNDER SECTION 682C THAT IS EQUIPPED WITH FLASHING, ROTATING, OR**  
25 **OSCILLATING AMBER LIGHTS FROM ACTIVATING THE FLASHING, ROTATING, OR**  
26 **OSCILLATING AMBER LIGHTS WHEN THAT VEHICLE IS TRAVELING BETWEEN**  
27 **LOCATIONS AT WHICH IT IS BEING UTILIZED FOR SNOW OR ICE REMOVAL.**

1 (g) A vehicle engaged in leading or escorting a funeral  
2 procession or any vehicle that is part of a funeral procession may  
3 be equipped with flashing, rotating, or oscillating purple or amber  
4 lights that shall not be activated except during a funeral  
5 procession.

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

9 (i) A private motor vehicle of a physician responding to an  
10 emergency call may be equipped with and the physician may use  
11 flashing, rotating, or oscillating red lights mounted on the roof  
12 section of the vehicle either as a permanent installation or by  
13 means of magnets or suction cups and clearly visible in a 360-  
14 degree arc from a distance of 500 feet when in use. The physician  
15 shall first obtain written authorization from the county sheriff.

16 (j) A public transit vehicle may be equipped with a flashing,  
17 oscillating, or rotating light mounted on the roof of the vehicle  
18 approximately 6 feet from the rear of the vehicle that displays a  
19 white light to the front, side, and rear of the vehicle, which  
20 light may be actuated by the driver for use only in inclement  
21 weather such as fog, rain, or snow, when boarding or discharging  
22 passengers, from 1/2 hour before sunset until 1/2 hour after  
23 sunrise, or when conditions hinder the visibility of the public  
24 transit vehicle. As used in this subdivision, "public transit  
25 vehicle" means a motor vehicle, other than a station wagon or  
26 passenger van, with a gross vehicle weight rating of more than  
27 10,000 pounds.

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

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

1 described in subsection (5) (a), (b), (c), (i), or (j), or to  
2 exercise the privileges described in section 603. A person who  
3 operates an authorized emergency vehicle in violation of the terms  
4 of an authorization is guilty of a misdemeanor punishable by  
5 imprisonment for not more than 90 days or a fine of not more than  
6 \$100.00, or both.

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

13 (8) This section does not prohibit, restrict, or limit the use  
14 of lights authorized or required under sections 697, 697a, and  
15 698a.

16 (9) A person who operates a vehicle in violation of subsection  
17 (1), (2), (3), or (4) is responsible for a civil infraction.

18 Sec. 717. (1) The total outside width of a vehicle or the load  
19 on a vehicle shall not exceed 96 inches, except as otherwise  
20 provided in this section.

21 (2) A person may operate or move an implement of husbandry of  
22 any width on a highway as required, designed, and intended for  
23 farming operations, including the movement of implements of  
24 husbandry being driven or towed and not hauled on a trailer,  
25 without obtaining a special permit for an excessively wide vehicle  
26 or load under section 725. The operation or movement of the  
27 implement of husbandry shall be in a manner so as to minimize the

1 interruption of traffic flow. A person shall not operate or move an  
2 implement of husbandry to the left of the center of the roadway  
3 from a half hour after sunset to a half hour before sunrise, under  
4 the conditions specified in section 639, or at any time visibility  
5 is substantially diminished due to weather conditions. A person  
6 operating or moving an implement of husbandry shall follow all  
7 traffic regulations.

8 (3) The total outside width of the load of a vehicle hauling  
9 concrete pipe, ferrous pipe, agricultural products, or unprocessed  
10 logs, pulpwood, or wood bolts shall not exceed 108 inches.

11 (4) Except as provided in subsections (2) and (5) and this  
12 subsection, if a vehicle that is equipped with pneumatic tires is  
13 operated on a highway, the maximum width from the outside of 1  
14 wheel and tire to the outside of the opposite wheel and tire shall  
15 not exceed 102 inches, and the outside width of the body of the  
16 vehicle or the load on the vehicle shall not exceed 96 inches.  
17 However, a truck and trailer or a tractor and semitrailer  
18 combination hauling pulpwood or unprocessed logs may be operated  
19 with a maximum width of not to exceed 108 inches in accordance with  
20 a special permit issued under section 725.

21 (5) The total outside body width of a bus, a trailer coach, a  
22 trailer, a semitrailer, a truck camper, or a motor home shall not  
23 exceed 102 inches. However, an appurtenance of a trailer coach, a  
24 truck camper, or a motor home that extends not more than 6 inches  
25 beyond the total outside body width ~~is~~ **DOES** not ~~a violation of~~  
26 **VIOLATE** this section.

27 (6) A vehicle shall not extend beyond the center line of a



1 state trunk line highway except when authorized by law. Except as  
2 provided in subsection (2), if the width of the vehicle makes it  
3 impossible to stay away from the center line, a permit shall be  
4 obtained under section 725.

5 (7) The director of the state transportation department, a  
6 county road commission, or a local authority may designate a  
7 highway under the agency's jurisdiction as a highway on which a  
8 person may operate a vehicle or vehicle combination that is not  
9 more than 102 inches in width, including load, the operation of  
10 which would otherwise be prohibited by this section. The agency  
11 making the designation may require that the owner or lessee of the  
12 vehicle or of each vehicle in the vehicle combination secure a  
13 permit before operating the vehicle or vehicle combination. This  
14 subsection does not restrict the issuance of a special permit under  
15 section 725 for the operation of a vehicle or vehicle combination.  
16 This subsection does not permit the operation of a vehicle or  
17 vehicle combination described in section 722a carrying a load  
18 described in that section if the operation would otherwise result  
19 in a violation of that section.

20 (8) The director of the state transportation department, a  
21 county road commission, or a local authority may issue a special  
22 permit under section 725 to a person operating a vehicle or vehicle  
23 combination if all of the following are met:

24 (a) The vehicle or vehicle combination, including load, is not  
25 more than 106 inches in width.

26 (b) The vehicle or vehicle combination is used solely to move  
27 new motor vehicles or parts or components of new motor vehicles

1 between facilities that meet all of the following:

2 (i) New motor vehicles or parts or components of new motor  
3 vehicles are manufactured or assembled in the facilities.

4 (ii) The facilities are located within 10 miles of each other.

5 (iii) The facilities are located within the city limits of the  
6 same city and the city is located in a county that has a population  
7 of more than 400,000 and less than 500,000 according to the most  
8 recent federal decennial census.

9 (c) The special permit and any renewals are each issued for a  
10 term of 1 year or less.

11 (9) A person may move or operate a boat lift of any width or  
12 an oversized hydraulic boat trailer owned and operated by a marina  
13 or watercraft dealer in a commercial boat storage operation on a  
14 highway under a multiple trip permit issued on an annual basis as  
15 specified under section 725. The operation or movement of the boat  
16 lift or trailer shall minimize the interruption of traffic flow. It  
17 shall be used exclusively to transport a boat between a place of  
18 storage and a marina or in and around a marina. A boat lift or  
19 oversized hydraulic boat trailer may be operated, drawn, or towed  
20 on a street or highway only when transporting a vessel between a  
21 body of water and a place of storage or when traveling empty to or  
22 from transporting a vessel. A boat lift shall not be operated on  
23 limited access highways. A person moving or operating a boat lift  
24 or oversized hydraulic boat trailer shall follow all traffic  
25 regulations and shall ensure the route selected has adequate power  
26 and utility wire height clearance.

27 **(10) A PERSON MAY OPERATE OR MOVE A TRUCK TO WHICH A SNOWPLOW**

1 BLADE THAT IS WIDER THAN 96 INCHES BUT NO MORE THAN 120 INCHES WIDE  
2 IS MOUNTED WITHOUT OBTAINING A SPECIAL PERMIT FOR AN EXCESSIVELY  
3 WIDE VEHICLE OR LOAD UNDER SECTION 725. THIS SUBSECTION ONLY  
4 APPLIES BETWEEN NOVEMBER 15 AND MARCH 15 OF EACH YEAR.

5 (11) ~~(10)~~—A person who violates this section is responsible  
6 for a civil infraction. The owner of the vehicle may be charged  
7 with a violation of this section.

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