

SENATE BILL No. 46

January 18, 2017, Introduced by Senators ZORN, HORN, STAMAS and NOFS and referred to the Committee on Transportation.

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 a white or
6 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

1 so arranged that the light may be turned on only if the vehicle is
2 in reverse gear. The backing lights when unlighted shall be covered
3 or otherwise arranged so as not to reflect objectionable glare in
4 the eyes of an operator of a vehicle approaching from the rear.

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

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

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

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

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

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

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

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

26 (f) A vehicle to perform public utility service, a vehicle
27 owned or leased by and licensed as a business for use in the

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

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

27 (h) An authorized emergency vehicle may display flashing,

1 rotating, or oscillating white lights in conjunction with an
2 authorized emergency light as prescribed in this section.

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

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

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

27 (6) A person shall not sell, loan, or otherwise furnish a

1 flashing, rotating, or oscillating blue or red light designed
2 primarily for installation on an authorized emergency vehicle to a
3 person except a police officer, sheriff, deputy sheriff, authorized
4 physician, volunteer or paid fire fighter, volunteer ambulance
5 driver, licensed ambulance driver or attendant of the state, a
6 county or municipality within the state, a person engaged in the
7 business of operating an ambulance or wrecker service, or a
8 federally recognized nonprofit charitable organization that owns
9 and operates an emergency support vehicle used exclusively for
10 emergencies. This subsection does not prohibit an authorized
11 vehicle, equipped with flashing, rotating, or oscillating blue or
12 red lights, from being operated by a person other than a person
13 described in this section if the person receives authorization to
14 operate the emergency vehicle from a police officer, sheriff,
15 deputy sheriff, authorized physician, volunteer or paid fire
16 fighter, volunteer ambulance driver, licensed ambulance driver or
17 attendant, a person operating an ambulance or wrecker service, or a
18 federally recognized nonprofit charitable organization that owns
19 and operates an emergency support vehicle used exclusively for
20 emergencies, except that the authorization shall not permit the
21 person to operate lights as described in subsection (5)(a), (b),
22 (c), (i), or (j), or to exercise the privileges described in
23 section 603. A person who operates an authorized emergency vehicle
24 in violation of the terms of an authorization is guilty of a
25 misdemeanor punishable by imprisonment for not more than 90 days or
26 a fine of not more than \$100.00, or both.

27 (7) A private motor vehicle of a security guard agency or

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

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

9 (9) A person who operates a vehicle in violation of subsection
10 (1), (2), (3), or (4) is responsible for a civil infraction.

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