

# HOUSE BILL NO. 4913

September 03, 2019, Introduced by Reps. Markkanen, LaFave, Mueller, Steven Johnson, Berman, Wozniak, Paquette, O'Malley and Cambensy and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 682c and 698 (MCL 257.682c and 257.698),  
section 682c as added by 2012 PA 262 and section 698 as amended by  
2018 PA 342.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Sec. 682c. (1) A person shall not operate a commercial snow
- 2 removal vehicle to remove snow or ice on a public street or highway
- 3 or in a parking lot accessible for use by the public unless the
- 4 vehicle is operated with at least 1 flashing, rotating, or



1 oscillating yellow, ~~or~~ amber, **or green** light that is clearly  
2 visible in a 360-degree arc from a distance of 500 feet when in  
3 use.

4 (2) A person who owns or leases a commercial snow removal  
5 vehicle shall not knowingly allow a person to operate that vehicle  
6 in violation of subsection (1).

7 (3) A person who violates this section is guilty of a  
8 misdemeanor punishable by imprisonment for not more than 90 days or  
9 a fine of not more than \$500.00, or both.

10 (4) As used in this section:

11 (a) "Commercial snow removal vehicle" means a vehicle equipped  
12 with a plow or other device that is used to remove snow or ice for  
13 payment or other remuneration.

14 (b) "Person" means an individual, partnership, corporation,  
15 association, governmental entity, or other legal entity.

16 Sec. 698. (1) A motor vehicle may be equipped with not more  
17 than 2 side cowl or fender lamps that emit an amber or white light  
18 without glare.

19 (2) A motor vehicle may be equipped with not more than 1  
20 running board courtesy lamp on each side that emits a white or  
21 amber light without glare.

22 (3) Backing lights of red, amber, or white may be mounted on  
23 the rear of a motor vehicle if the switch controlling the light is  
24 so arranged that the light may be turned on only if the vehicle is  
25 in reverse gear. The backing lights when unlighted ~~shall~~ **must** be  
26 covered or otherwise arranged so as not to reflect objectionable  
27 glare in the eyes of an operator of a vehicle approaching from the  
28 rear.

29 (4) Unless both covered and unlit, a vehicle operated on the



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

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

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

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

21 (c) An authorized emergency vehicle may be equipped with  
22 flashing, rotating, or oscillating red lights for use when  
23 responding to an emergency call if when in use the flashing,  
24 rotating, or oscillating red lights are clearly visible in a 360-  
25 degree arc from a distance of 500 feet. ~~when in use.~~ A person  
26 operating lights under this subdivision at any time other than when  
27 responding to an emergency call is guilty of a misdemeanor.

28 (d) Flashing, rotating, or oscillating amber or green lights,  
29 placed in a position as to be visible throughout an arc of 360



degrees, ~~shall~~**must** be used by a state, county, or municipal vehicle engaged in the removal of ice, snow, or other material from the highway and in other operations designed to control ice and snow, or engaged in other non-winter operations. This subdivision does not prohibit the use of a flashing, rotating, or oscillating green light by a fire service.

(e) A vehicle used for the cleanup of spills or a necessary emergency response action taken ~~pursuant to~~**under** state or federal law or a vehicle operated by an employee of the department of natural resources or the department of ~~environmental quality~~**environment, Great Lakes, and energy** that responds to a spill, emergency response action, complaint, or compliance activity may be equipped with flashing, rotating, or oscillating amber or green lights. The lights described in this subdivision ~~shall~~**must** not be activated unless the vehicle is at the scene of a spill, emergency response action, complaint, or compliance activity. This subdivision does not prohibit the use of a flashing, rotating, or oscillating green light by a fire service.

(f) A vehicle to perform public utility service, a vehicle owned or leased by and licensed as a business for use in the collection and hauling of refuse, an automobile service car or wrecker, a vehicle of a peace officer, a vehicle operated by a rural letter carrier or a person under contract to deliver newspapers or other publications by motor route, ~~a vehicle utilized for snow or ice removal under section 682c,~~ a private security guard vehicle as authorized in subsection (7), a motor vehicle while engaged in escorting or transporting an oversize load that has been issued a permit by the state transportation department or a local authority with respect to highways under its jurisdiction,



1 a vehicle owned by the National Guard or a United States military  
2 vehicle while traveling under the appropriate recognized military  
3 authority, a motor vehicle while towing an implement of husbandry,  
4 or an implement of husbandry may be equipped with flashing,  
5 rotating, or oscillating amber lights. However, a wrecker may be  
6 equipped with flashing, rotating, or oscillating red lights that  
7 ~~shall~~**must** be activated only when the wrecker is engaged in  
8 removing or assisting a vehicle at the scene of a traffic accident  
9 or disablement. The flashing, rotating, or oscillating amber lights  
10 ~~shall~~**must** not be activated except when the warning produced by the  
11 lights is required for public safety. A vehicle engaged in  
12 authorized highway repair or maintenance **or a vehicle utilized for**  
13 **snow or ice removal under section 682c** may be equipped with  
14 flashing, rotating, or oscillating amber or green lights. This  
15 subdivision does not prohibit the operator of a vehicle utilized  
16 for snow or ice removal under section 682c that is equipped with  
17 flashing, rotating, or oscillating amber **or green** lights from  
18 activating the flashing, rotating, or oscillating amber **or green**  
19 lights when that vehicle is traveling between locations at which it  
20 is being utilized for snow or ice removal.

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

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

29 (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 if the vehicle is clearly identified as a neighborhood watch  
27 vehicle and the neighborhood watch program is working in  
28 cooperation with local law enforcement. The lights described in  
29 this subdivision ~~shall~~**must** not be activated when the vehicle is



1 not being used to perform neighborhood watch 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 this state, a  
8 county or municipality within this 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 emergency vehicle, equipped with flashing, rotating, or oscillating  
14 blue or red lights, from being operated by a person other than a  
15 person described in this section if the person receives  
16 authorization to operate the authorized emergency vehicle from a  
17 police officer, sheriff, deputy sheriff, authorized physician,  
18 volunteer or paid fire fighter, volunteer ambulance driver,  
19 licensed ambulance driver or attendant, a person operating an  
20 ambulance or wrecker service, or a federally recognized nonprofit  
21 charitable organization that owns and operates an emergency support  
22 vehicle used exclusively for emergencies, except that the  
23 authorization ~~shall~~**must** not permit the person to operate lights as  
24 described in subsection (5)(a), (b), (c), (i), or (j), or to  
25 exercise the privileges described in section 603. A person who  
26 operates an authorized emergency vehicle in violation of the terms  
27 of an authorization is guilty of a misdemeanor punishable by  
28 imprisonment for not more than 90 days or a fine of not more than  
29 \$100.00, or both.



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

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

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

