

HOUSE BILL No. 4413

March 9, 1989, Introduced by Rep. Fitzgerald and referred to the Committee on Transportation.

A bill to amend section 698 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," as amended by Act No. 326 of the Public Acts of 1984, being section 257.698 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 698 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 326 of the Public Acts of 1984, being
3 section 257.698 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 698. (1) A motor vehicle may be equipped with not more
6 than 2 side cowl or fender lamps which shall emit an amber or
7 white light without glare.

1 (2) A motor vehicle may be equipped with not more than 1
2 running board courtesy lamp on each side which shall emit a white
3 or amber light without glare.

4 (3) Backing lights of red, amber, or white may be mounted on
5 the rear of a motor vehicle if the switch controlling the light
6 is so arranged that the light may be turned on only if the vehi-
7 cle is in reverse gear. The backing lights when unlighted shall
8 be covered or otherwise arranged so as not to reflect objection-
9 able glare in the eyes of a driver of a vehicle approaching from
10 the rear.

11 (4) A lamp or reflector on a vehicle, other than those
12 expressly required or permitted by this chapter, if visible from
13 the front, shall display or reflect a white or amber light; if
14 visible from either side, shall display or reflect an amber or
15 red light; and if visible from the rear, shall display or reflect
16 a red light, except as otherwise provided by law.

17 (5) The use or possession of flashing, oscillating, or
18 rotating red, blue, or amber lights is prohibited except under
19 the following circumstances:

20 (a) A police vehicle shall be equipped with flashing, rotat-
21 ing, or oscillating red or blue lights, for use in the per-
22 formance of police duties.

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

1 (c) A school bus shall be equipped with flashing red lights
2 which shall be actuated by the driver only when the school bus is
3 stopped or stopping on a highway pursuant to section 682. A
4 school bus may also be equipped with a flashing, oscillating, or
5 rotating light mounted on the roof of the bus approximately 6
6 feet from the rear of the vehicle which displays a white light to
7 the front, side, and rear of the bus which light may be actuated
8 by the driver for use only in inclement weather such as fog,
9 rain, or snow, or when the school bus is stopped or stopping on a
10 highway pursuant to section 682, or where conditions hinder the
11 visibility of the school bus.

12 (d) If authorized by the department of state police, a pri-
13 vate motor vehicle owned by a volunteer or paid fire fighter, a
14 volunteer ambulance driver, or a licensed ambulance driver or
15 attendant, or an emergency support vehicle used exclusively for
16 emergencies and owned and operated by a federally recognized non-
17 profit charitable organization may be equipped with flashing,
18 rotating, or oscillating red lights for use when responding to an
19 emergency call if when in use the flashing, rotating, or oscil-
20 lating red lights are mounted on the roof section of the vehicle,
21 either as a permanent installation or by means of suction cups or
22 magnets and are clearly visible in a 360 degree arc from a dis-
23 tance of 500 feet when in use. A person operating lights under
24 this subdivision, at any time other than when responding to an
25 emergency call, is guilty of a misdemeanor.

26 (e) Flashing, rotating, or oscillating amber lights, placed
27 in a position as to be visible throughout an arc of 360 degrees,

1 shall be used by a state, county, or municipal vehicle engaged in
2 the removal of ice, snow, or other material from the highway and
3 in other operations designed to control ice and snow.

4 (f) A vehicle used to perform public utility service, an
5 automobile service car or wrecker, a vehicle engaged in autho-
6 rized highway repair or maintenance, a vehicle of a peace offi-
7 cer, a vehicle operated by a rural letter carrier, a vehicle uti-
8 lized for snow removal, a private security guard vehicle as
9 authorized in subsection (7), A COUNTY ANIMAL CONTROL VEHICLE, or
10 a farm tractor may be equipped with flashing, rotating, or oscil-
11 lating amber lights. However, a wrecker may be equipped with
12 flashing, rotating, or oscillating red lights which shall be
13 activated only when the wrecker is engaged in removing or assist-
14 ing a vehicle at the scene of a traffic accident or disablement.
15 The flashing, rotating, or oscillating amber lights shall not be
16 activated except in those circumstances that the warning produced
17 by the lights is required for public safety.

18 (g) A police vehicle, an ambulance, or a fire vehicle may
19 display a flashing, rotating, or oscillating white light in con-
20 junction with an authorized emergency light as prescribed in this
21 section.

22 (h) A private motor vehicle of a physician responding to an
23 emergency call may be equipped with and the physician may use
24 flashing, rotating, or oscillating red lights mounted on the roof
25 section of the vehicle either as a permanent installation or by
26 means of magnets or suction cups and clearly visible in a 360
27 degree arc from a distance of 500 feet when in use. The

1 physician shall first obtain written authorization from the
2 county sheriff.

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

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

1 support vehicle used exclusively for emergencies, except that the
2 authorization shall not permit the person to operate lights as
3 described in subsection (5)(a), (b), (d), (g), or (h), or to
4 exercise the privileges described in section 603. A person who
5 operates an authorized emergency vehicle in violation of the
6 terms of an authorization is guilty of a misdemeanor.

7 (7) A private motor vehicle of a security guard agency or
8 alarm company licensed pursuant to Act No. 330 of the Public Acts
9 of 1968, being sections 338.1051 to 338.1085 of the Michigan
10 Compiled Laws, may display flashing, rotating, or oscillating
11 amber lights. The flashing, rotating, or oscillating amber
12 lights shall not be activated on a public highway when a vehicle
13 is in motion.

14 (8) This section shall not be construed to prohibit,
15 restrict, or limit the use of lights authorized or required under
16 sections 697, 697a, and 698a.

17 (9) A person who violates subsection (1), (2), (3), or (4)
18 is responsible for a civil infraction.