

HOUSE BILL No. 5291

November 15, 1989, Introduced by Reps. Middaugh, Wartner, Varga, Sikkema, Stacey, Gnodtke, Walberg and Jaye 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 THE FOLLOWING SITUATIONS:

9 (i) IN inclement weather such as fog, rain, or snow. ~~or~~
10 ~~when~~

11 (ii) WHEN the school bus is stopped or stopping on a highway
12 TO RECEIVE OR DISCHARGE PASSENGERS pursuant to section 682. ~~or~~
13 ~~or where~~

14 (iii) AT ANYTIME BETWEEN THE HOURS OF SUNSET AND SUNRISE.

15 (iv) WHERE conditions hinder the visibility of the school
16 bus.

17 (d) If authorized by the department of state police, a pri-
18 vate motor vehicle owned by a volunteer or paid fire fighter, a
19 volunteer ambulance driver, or a licensed ambulance driver or
20 attendant, or an emergency support vehicle used exclusively for
21 emergencies and owned and operated by a federally recognized non-
22 profit charitable organization may be equipped with flashing,
23 rotating, or oscillating red lights for use when responding to an
24 emergency call if when in use the flashing, rotating, or oscil-
25 lating red lights are mounted on the roof section of the vehicle,
26 either as a permanent installation or by means of suction cups or
27 magnets and are clearly visible in a 360 degree arc from a

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

4 (e) Flashing, rotating, or oscillating amber lights, placed
5 in a position as to be visible throughout an arc of 360 degrees,
6 shall be used by a state, county, or municipal vehicle engaged in
7 the removal of ice, snow, or other material from the highway and
8 in other operations designed to control ice and snow.

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

23 (g) A police vehicle, an ambulance, or a fire vehicle may
24 display a flashing, rotating, or oscillating white light in con-
25 junction with an authorized emergency light as prescribed in this
26 section.

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

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

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

1 receives authorization to operate the emergency vehicle from a
2 police officer, sheriff, deputy sheriff, authorized physician,
3 volunteer or paid fire fighter, volunteer ambulance driver,
4 licensed ambulance driver or attendant, a person operating an
5 ambulance or wrecker service, or a federally recognized nonprofit
6 charitable organization which owns and operates an emergency sup-
7 port vehicle used exclusively for emergencies, except that the
8 authorization shall not permit the person to operate lights as
9 described in subsection (5)(a), (b), (d), (g), or (h), or to
10 exercise the privileges described in section 603. A person who
11 operates an authorized emergency vehicle in violation of the
12 terms of an authorization is guilty of a misdemeanor.

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

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

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