

HOUSE BILL No. 4017

January 8, 1997, Introduced by Rep. McNutt and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2 and 698 (MCL 257.2 and 257.698), section 698 as amended by 1994 PA 101.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. "Authorized emergency vehicle" means ~~vehicles~~
2 EITHER OF THE FOLLOWING:
3 (A) VEHICLES of the fire department, police vehicles, ambu-
4 lances, OR privately owned motor vehicles of volunteer or paid
5 ~~firemen~~ FIRE FIGHTERS, or ~~privately owned motor vehicles of~~
6 ~~volunteer ambulance drivers or licensed ambulance drivers or~~
7 ~~attendants as are authorized~~ MEMBERS OF EMERGENCY MEDICAL SERV-
8 ICE AGENCIES LICENSED by the department of ~~state police~~ PUBLIC
9 HEALTH.

1 (B) FOR PURPOSES OF SECTION 698(5)(C) DURING AN EMERGENCY, A
2 VEHICLE OWNED AND OPERATED BY A FEDERALLY RECOGNIZED NONPROFIT
3 CHARITABLE ORGANIZATION THAT IS USED EXCLUSIVELY FOR ASSISTANCE
4 DURING THAT EMERGENCY.

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.

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

11 (3) Backing lights of red, amber, or white may be mounted on
12 the rear of a motor vehicle if the switch controlling the light
13 is so arranged that the light may be turned on only if the vehi-
14 cle is in reverse gear. The backing lights when unlighted shall
15 be covered or otherwise arranged so as not to reflect objection-
16 able glare in the eyes of a driver of a vehicle approaching from
17 the rear.

18 (4) Unless both covered and unlit, a vehicle driven on the
19 highways of this state shall not be equipped with a lamp or a
20 part designed to be a reflector unless expressly required or per-
21 mitted by this chapter or that meets the standards prescribed in
22 49 C.F.R. 571.108. A lamp or a part designed to be a reflector,
23 if visible from the front, shall display or reflect a white or
24 amber light; if visible from either side, shall display or
25 reflect an amber or red light; and if visible from the rear,
26 shall display or reflect a red light, except as otherwise
27 provided by law.

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

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

7 (b) A fire vehicle or ambulance available for public use or
8 for use of the United States, the state, or any unit of the
9 state, whether publicly or privately owned, shall be equipped
10 with flashing, rotating, or oscillating red lights and used as
11 required for safety.

12 (c) ~~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~~ AN AUTHORIZED EMERGENCY VEHICLE
18 AS DEFINED IN SECTION 2 may be equipped with flashing, rotating,
19 or oscillating red lights for use when responding to an emergency
20 call if when in use the flashing, rotating, or oscillating red
21 lights are mounted on the roof section of the vehicle, either as
22 a permanent installation or by means of suction cups or magnets
23 and are clearly visible in a 360 degree arc from a distance of
24 500 feet when in use. A person operating lights under this sub-
25 division at any time other than when responding to an emergency
26 call is guilty of a misdemeanor.

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

6 (e) A vehicle used for the cleanup of spills or a necessary
7 emergency response action taken pursuant to state or federal law
8 or a vehicle operated by an employee of the department of natural
9 resources that responds to a spill, emergency response action,
10 complaint, or compliance activity may be equipped with flashing,
11 rotating, or oscillating amber lights. Such lights shall not be
12 activated unless the vehicle is at the scene of a spill, emer-
13 gency response action, complaint, or compliance activity.

14 (f) A vehicle to perform public utility service, a vehicle
15 owned or leased by and licensed as a business for use in the col-
16 lection and hauling of refuse, an automobile service car or
17 wrecker, a vehicle engaged in authorized highway repair or main-
18 tenance, a vehicle of a peace officer, a vehicle operated by a
19 rural letter carrier or a person under contract to deliver news-
20 papers or other publications by motor route, a vehicle utilized
21 for snow removal, a private security guard vehicle as authorized
22 in subsection (7), a hearse or funeral coach, a motor vehicle
23 while engaged in escorting or transporting an oversize load that
24 has been issued a permit by the state transportation department
25 or a local authority with respect to highways under its jurisdic-
26 tion, a vehicle owned by the national guard or a United States
27 military vehicle while traveling under the appropriate recognized

1 military authority, a motor vehicle while towing an implement of
2 husbandry, or an implement of husbandry may be equipped with
3 flashing, rotating, or oscillating amber lights. However, a
4 wrecker may be equipped with flashing, rotating, or oscillating
5 red lights which shall be activated only when the wrecker is
6 engaged in removing or assisting a vehicle at the scene of a
7 traffic accident or disablement. The flashing, rotating, or
8 oscillating amber lights shall not be activated except in those
9 circumstances that the warning produced by the lights is required
10 for public safety.

11 (g) An authorized emergency vehicle may display flashing,
12 rotating, or oscillating white lights in conjunction with an
13 authorized emergency light as prescribed in this section.

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

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

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

1 (7) A private motor vehicle of a security guard agency or
2 alarm company licensed pursuant to the private security guard act
3 of 1968, ~~Act No. 330 of the Public Acts of 1968, being sections~~
4 ~~338.1051 to 338.1085 of the Michigan Compiled Laws~~ 1968 PA 330,
5 MCL 338.1051 TO 338.1085, may display flashing, rotating, or
6 oscillating amber lights. The flashing, rotating, or oscillating
7 amber lights shall not be activated on a public highway when a
8 vehicle is in motion.

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

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