

**ROAD SERVICE VEHICLES AS  
EMERGENCY VEHICLES**

**House Bill 4887 (Substitute H-3)  
First Analysis (11-10-03)**

**Sponsor: Rep. John Pastor  
Committee: Transportation**

***THE APPARENT PROBLEM:***

Until 1997, the Department of State Police designated which vehicles were authorized as emergency vehicles in the state, including police and fire vehicles, ambulances, and privately owned vehicles used by volunteer or paid fire fighters or ambulance drivers. In 1997 the legislature changed the law, and since that time, if an emergency vehicle falls within the definition provided in the Michigan Vehicle Code, then it is automatically authorized.

Recently, the owners and operators of tow trucks have suggested that their vehicles be included within the definition of “authorized emergency vehicle” whenever they are at the scene of an emergency.

Tow trucks working at accident scenes are often stationary at the side of busy highways, where the risk of high speed impact with fast moving vehicles is high. The working conditions are dangerous for the drivers of those vehicles, and their safety is nearly always in jeopardy. Indeed, according to a spokesperson from the Michigan Towing Association, drivers of tow trucks have been involved in many accidents while working accident scenes to remove disabled cars, and some have died from their serious injuries.

In Michigan, drivers must slow their speed and, where possible, move over one lane in order to give emergency road workers and their vehicles a wider berth, helping to ensure their safety. Legislation has been introduced to include tow trucks among those vehicles that must be given ample clearance when they are at accident scenes.

***THE CONTENT OF THE BILL:***

House Bill 4887 would amend the Michigan Vehicle Code to a “road service vehicle within the definition of an authorized emergency vehicle. The bill would take effect 90 days after it is enacted.

Currently under the law, an “authorize emergency vehicle” means:

- vehicles of the fire department, police vehicles, ambulances, or privately owned motor vehicles of volunteer or paid fire fighters (if authorized by the chief of an organized fire department), or privately owned motor vehicles of volunteers or paid members of a life support agency licensed by the Department of Consumer and Industry Services (if authorized by the life support agency); or,
- a vehicle (properly equipped with flashing lights) owned and operated by a federally recognized nonprofit charitable organization that is used exclusively for assistance during an emergency.

House Bill 4887 would retain both of these definitions, and add a third: a road service vehicle giving a visual signal by means of a flashing, rotating, or oscillating red or amber light. Under the bill, a “road service vehicle” would be a vehicle that was clearly marked and readily recognizable as a vehicle used to assist disabled vehicles.

MCL 257.2

***FISCAL IMPLICATIONS:***

The House Fiscal Agency notes that the bill would have no fiscal impact. (11-3-03)

***ARGUMENTS:***

***For:***

This legislation will help ensure the safety of emergency road workers who drive tow trucks and work at accident scenes. If tow trucks are included within the definition of “authorized emergency vehicle,” then drivers who are passing the scenes of accidents will be required by law to slow their speed and move over one lane, to make room for the tow trucks with their flashing red or amber lights—in the

same way that they now make room for all other authorized emergency vehicles. This will better ensure the safety of the emergency services workers at the scene. Further, as amended, the bill would also include within the definition of emergency vehicle, the “courtesy patrols” whose flashing amber lights can be seen along stretches of busy highways in the Detroit area when they come to the aid of stranded motorists.

***POSITIONS:***

The Department of State Police supports the bill as amended. (11-6-03)

The Traffic Safety Association supports the bill. (11-6-03)

The Michigan Towing Association supports the bill. (11-10-03)

Analyst: J. Hunault

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.