

# HOUSE BILL No. 6011

April 24, 2008, Introduced by Reps. Sheen, Steil, Rick Jones, Pearce, Agema, Hoogendyk, Green, Shaffer, Stahl, Sak and Dean and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 698 (MCL 257.698), as amended by 1998 PA 247.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

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

7           (3) Backing lights of red, amber, or white may be mounted on  
8 the rear of a motor vehicle if the switch controlling the light is  
9 so arranged that the light may be turned on only if the vehicle is

1 in reverse gear. The backing lights when ~~unlighted~~**UNLIT** shall be  
2 covered or otherwise arranged so as not to reflect objectionable  
3 glare in the eyes of a driver of a vehicle approaching from the  
4 rear.

5 (4) Unless both covered and unlit, a vehicle driven on the  
6 highways of this state shall not be equipped with a lamp or a part  
7 designed to be a reflector unless expressly required or permitted  
8 by this chapter or that meets the standards prescribed in 49 ~~C.F.R.~~  
9 **CFR** 571.108. A lamp or a part designed to be a reflector, if  
10 visible from the front, shall display or reflect a white or amber  
11 light; if visible from either side, shall display or reflect an  
12 amber or red light; and if visible from the rear, shall display or  
13 reflect a red light, except as otherwise provided by law.

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

17 (a) A police vehicle shall be equipped with flashing,  
18 rotating, or oscillating red or blue lights, for use in the  
19 performance of police duties.

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

25 (c) An authorized emergency vehicle as defined in section 2  
26 may be equipped with flashing, rotating, or oscillating red lights  
27 for use when responding to an emergency call if when in use the

1 flashing, rotating, or oscillating red lights are mounted on the  
2 roof section of the vehicle, either as a permanent installation or  
3 by means of suction cups or magnets and are clearly visible in a  
4 360 degree arc from a distance of 500 feet when in use. A person  
5 operating lights under this subdivision at any time other than when  
6 responding to an emergency call is guilty of a misdemeanor

7 **PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF**  
8 **NOT MORE THAN \$500.00, OR BOTH.**

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

14 (e) A vehicle used for the cleanup of spills or a necessary  
15 emergency response action taken ~~pursuant to~~ **UNDER** state or federal  
16 law or a vehicle operated by an employee of the department of  
17 natural resources that responds to a spill, emergency response  
18 action, complaint, or compliance activity may be equipped with  
19 flashing, rotating, or oscillating amber lights. ~~Such~~ **THE** lights  
20 shall not be activated unless the vehicle is at the scene of a  
21 spill, emergency response action, complaint, or compliance  
22 activity.

23 (f) A vehicle **USED** to perform public utility service, a  
24 vehicle owned or leased by and licensed as a business for use in  
25 the collection and hauling of refuse, an automobile service car or  
26 wrecker, a vehicle engaged in authorized highway repair or  
27 maintenance, a vehicle of a peace officer, a vehicle operated by a

1 rural letter carrier or a person under contract to deliver  
2 newspapers or other publications by motor route, a vehicle ~~utilized~~  
3 **USED** for snow removal, a private security guard vehicle as  
4 authorized in subsection (7), a motor vehicle while engaged in  
5 escorting or transporting an oversize load that has been issued a  
6 permit by the state transportation department or a local authority  
7 with respect to highways under its jurisdiction, a vehicle owned by  
8 the national guard or a United States military vehicle while  
9 traveling under the appropriate recognized military authority, a  
10 motor vehicle while towing an implement of husbandry, or an  
11 implement of husbandry may be equipped with flashing, rotating, or  
12 oscillating amber lights. However, a wrecker may be equipped with  
13 flashing, rotating, or oscillating red lights which shall be  
14 activated only when the wrecker is engaged in removing or assisting  
15 a vehicle at the scene of a traffic accident or disablement. The  
16 flashing, rotating, or oscillating amber lights shall not be  
17 activated except in those circumstances that the warning produced  
18 by the lights is required for public safety.

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

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

27 (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 ~~which~~**THAT**  
10 displays a white light to the front, side, and rear of the vehicle,  
11 ~~which light~~**AND THAT** may be actuated by the driver for use only in  
12 inclement weather such as fog, rain, or snow, when boarding or  
13 discharging passengers, from 1/2 hour before sunset until 1/2 hour  
14 after sunrise, or where conditions hinder the visibility of the  
15 public transit vehicle. As used in this subdivision, "public  
16 transit vehicle" means a motor vehicle, other than a station wagon  
17 or passenger van, with a gross vehicle weight rating of more than  
18 10,000 pounds.

19 **(K) A MOTOR VEHICLE OF AN INDIVIDUAL WHO, AS A VOLUNTEER OF**  
20 **THIS STATE OR OF A LOCAL UNIT OF GOVERNMENT OF THIS STATE OR OF AN**  
21 **ENTITY ORGANIZED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE**  
22 **CODE, 26 USC 501, PICKS UP DEAD OR INJURED ANIMALS, CLEARS THE**  
23 **ROADWAY OF DEBRIS, OR ALERTS OTHER VEHICLE OPERATORS TO DRIVING**  
24 **HAZARDS, MAY BE EQUIPPED WITH AND HE OR SHE MAY USE A FLASHING,**  
25 **ROTATING, OR OSCILLATING YELLOW LIGHT WHILE HE OR SHE IS ENGAGED IN**  
26 **THAT ACTIVITY.**

27 (l) ~~(k)~~A person engaged in the manufacture, sale, or repair of

1 flashing, rotating, or oscillating lights governed by this  
2 subsection may possess the lights for the purpose of employment,  
3 but shall not activate the lights upon the highway unless  
4 authorized to do so under subsection (6).

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

1 section 603. A person who operates an authorized emergency vehicle  
2 in violation of the terms of an authorization is guilty of a  
3 misdemeanor **PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR**  
4 **A FINE OF NOT MORE THAN \$500.00, OR BOTH.**

5 (7) A private motor vehicle of a security guard agency or  
6 alarm company licensed ~~pursuant to~~ **UNDER** the private security guard  
7 act of 1968, 1968 PA 330, MCL 338.1051 to 338.1085, may display  
8 flashing, rotating, or oscillating amber lights. The flashing,  
9 rotating, or oscillating amber lights shall not be activated on a  
10 public highway when a vehicle is in motion.

11 (8) This section ~~shall not be construed to~~ **DOES NOT** prohibit,  
12 restrict, or limit the use of lights authorized or required under  
13 sections 697, 697a, and 698a.

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