

# HOUSE BILL No. 4884

June 5, 2001, Introduced by Reps. Bovin, Adamini, Rich Brown, Waters, Kolb, Bogardus, Neumann, Lipsey, Bernero, Wojno, Williams and Lockwood 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  
3 white 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  
9 is so arranged that the light may be turned on only if the  
10 vehicle is in reverse gear. The backing lights when unlighted

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1 shall be covered or otherwise arranged so as not to reflect  
2 objectionable glare in the eyes of a driver of a vehicle  
3 approaching from the rear.

4       (4) Unless both covered and unlit, a vehicle driven on the  
5 highways of this state shall not be equipped with a lamp or a  
6 part designed to be a reflector unless expressly required or per-  
7 mitted by this chapter or that meets the standards prescribed in  
8 49 C.F.R. 571.108. A lamp or a part designed to be a reflector,  
9 if visible from the front, shall display or reflect a white or  
10 amber light; if visible from either side, shall display or  
11 reflect an amber or red light; and if visible from the rear,  
12 shall display or reflect a red light, except as otherwise pro-  
13 vided 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, rotat-  
18 ing, or oscillating red or blue lights, for use in the per-  
19 formance 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  
22 state, whether publicly or privately owned, shall be equipped  
23 with flashing, rotating, or oscillating red lights and used as  
24 required for safety.

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

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

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

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

23 (f) A vehicle to perform public utility service, a vehicle  
24 owned or leased by and licensed as a business for use in the col-  
25 lection 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

1 a rural letter carrier or a person under contract to deliver  
2 newspapers or other publications by motor route, a vehicle uti-  
3 lized 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 author-  
7 ity with respect to highways under its jurisdiction, a vehicle  
8 owned by the national guard or a United States military vehicle  
9 while traveling under the appropriate recognized military author-  
10 ity, a motor vehicle while towing an implement of husbandry, or  
11 an implement of husbandry may be equipped with flashing, rotat-  
12 ing, or oscillating amber lights. However, a wrecker may be  
13 equipped with flashing, rotating, or oscillating red lights which  
14 shall be activated only when the wrecker is engaged in removing  
15 or assisting a vehicle at the scene of a traffic accident or  
16 disablement. The flashing, rotating, or oscillating amber lights  
17 shall not be activated except in those circumstances that the  
18 warning produced by the lights is required for public safety.

19 (g) A vehicle engaged in leading or escorting a funeral pro-  
20 cession or any vehicle that is part of a funeral procession may  
21 be equipped with flashing, rotating, or oscillating purple or  
22 amber 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.

1 (i) 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 (j) A public transit vehicle may be equipped with a flash-  
10 ing, oscillating, or rotating light mounted on the roof of the  
11 vehicle approximately 6 feet from the rear of the vehicle which  
12 displays a white light to the front, side, and rear of the vehi-  
13 cle, which light may be actuated by the driver for use only in  
14 inclement weather such as fog, rain, or snow, when boarding or  
15 discharging passengers, from 1/2 hour before sunset until 1/2  
16 hour after sunrise, or where conditions hinder the visibility of  
17 the public transit vehicle. As used in this subdivision, "public  
18 transit vehicle" means a motor vehicle, other than a station  
19 wagon or passenger van, with a gross vehicle weight rating of  
20 more than 10,000 pounds.

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

26 (6) A person shall not sell, loan, or otherwise furnish a  
27 flashing, rotating, or oscillating blue or red light designed

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

25 (7) A private motor vehicle of a security guard agency or  
26 alarm company licensed pursuant to the private security guard act  
27 of 1968, 1968 PA 330, MCL 338.1051 to 338.1085, may display

1 flashing, rotating, or oscillating amber lights. The flashing,  
2 rotating, or oscillating amber lights shall not be activated on a  
3 public highway when a vehicle is in motion.

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

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