

Act No. 8  
Public Acts of 1997  
Approved by the Governor  
May 15, 1997  
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May 16, 1997

STATE OF MICHIGAN  
89TH LEGISLATURE  
REGULAR SESSION OF 1997

Introduced by Rep. McNutt

## **ENROLLED HOUSE BILL No. 4017**

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," 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:*

Sec. 2. "Authorized emergency vehicle" means either of the following:

(a) 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 volunteer or paid members of a life support agency licensed by the department of consumer and industry services if authorized by the life support agency.

(b) For purposes of section 698(5)(c) during an emergency, a vehicle owned and operated by a federally recognized nonprofit charitable organization that is used exclusively for assistance during that emergency.

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

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

(3) Backing lights of red, amber, or white may be mounted on the rear of a motor vehicle if the switch controlling the light is so arranged that the light may be turned on only if the vehicle is in reverse gear. The backing lights when unlighted shall be covered or otherwise arranged so as not to reflect objectionable glare in the eyes of a driver of a vehicle approaching from the rear.

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

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

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

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

(c) An authorized emergency vehicle as defined in section 2 may be equipped with flashing, rotating, or oscillating red lights for use when responding to an emergency call if when in use the flashing, rotating, or oscillating red lights are mounted on the roof section of the vehicle, either as a permanent installation or by means of suction cups or magnets and are clearly visible in a 360 degree arc from a distance of 500 feet when in use. A person operating lights under this subdivision at any time other than when responding to an emergency call is guilty of a misdemeanor.

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

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

(f) A vehicle to perform public utility service, a vehicle owned or leased by and licensed as a business for use in the collection and hauling of refuse, an automobile service car or wrecker, a vehicle engaged in authorized highway repair or maintenance, a vehicle of a peace officer, a vehicle operated by a rural letter carrier or a person under contract to deliver newspapers or other publications by motor route, a vehicle utilized for snow removal, a private security guard vehicle as authorized in subsection (7), a hearse or funeral coach, a motor vehicle while engaged in escorting or transporting an oversize load that has been issued a permit by the state transportation department or a local authority with respect to highways under its jurisdiction, a vehicle owned by the national guard or a United States military vehicle while traveling under the appropriate recognized military authority, a motor vehicle while towing an implement of husbandry, or an implement of husbandry may be equipped with flashing, rotating, or oscillating amber lights. However, a wrecker may be equipped with flashing, rotating, or oscillating red lights which shall be activated only when the wrecker is engaged in removing or assisting a vehicle at the scene of a traffic accident or disablement. The flashing, rotating, or oscillating amber lights shall not be activated except in those circumstances that the warning produced by the lights is required for public safety.

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

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

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

(6) A person shall not sell, loan, or otherwise furnish a flashing, rotating, or oscillating blue or red light designed primarily for installation on an authorized emergency vehicle to a person except a police officer, sheriff, deputy sheriff, authorized physician, volunteer or paid fire fighter, volunteer ambulance driver, licensed ambulance driver or attendant of the state, a county or municipality within the state, a person engaged in the business of operating an ambulance or wrecker service, or a federally recognized nonprofit charitable organization which owns and operates an emergency support vehicle used exclusively for emergencies. This subsection does not prohibit an authorized vehicle, equipped with flashing, rotating, or oscillating blue or red lights, from being operated by a person other than a person described in this section if the person receives authorization to operate the emergency vehicle from a police officer, sheriff, deputy sheriff, authorized physician, volunteer or paid fire fighter, volunteer ambulance driver, licensed ambulance driver or attendant, a person operating an ambulance or wrecker service, or a federally recognized nonprofit charitable organization which owns and operates an emergency support vehicle used exclusively for emergencies, except that the

authorization shall not permit the person to operate lights as described in subsection (5)(a), (b), (c), (g), or (h), or to exercise the privileges described in section 603. A person who operates an authorized emergency vehicle in violation of the terms of an authorization is guilty of a misdemeanor.

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

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

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

This act is ordered to take immediate effect.



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Clerk of the House of Representatives.



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Secretary of the Senate.

Approved -----

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Governor.