



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 265 (Substitute S-1 as reported)
Sponsor: Senator Wayne Kuipers
Committee: Transportation

Date Completed: 4-20-07

RATIONALE

Some local governments in Michigan depend on volunteer personnel to assist at the site of emergencies such as automobile accidents. These individuals may help direct traffic and perform similar functions to maintain order and safety at the scene. Unlike emergency response vehicles, police cars, wreckers, or other official vehicles, volunteers' vehicles are not permitted to display flashing, rotating, or oscillating lights that could warn oncoming cars of their presence. Some are concerned that the lack of lights could pose a safety risk, and have suggested that volunteers should be permitted to use appropriate lights on their vehicles at the scene of an emergency.

CONTENT

The bill would amend the Michigan Vehicle Code to permit a vehicle owned by a volunteer member of an emergency management unit of a local governmental entity to be equipped with flashing, rotating, or oscillating amber lights if authorized by the local governmental entity. The lights could be used only at the scene of a spill, emergency response action, complaint, or compliance activity.

Currently, a vehicle used for the cleanup of spills or for an emergency response action taken under 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. The lights may not be activated unless the vehicle is at the scene of a spill, emergency response action, complaint, or compliance activity.

The Code prohibits the use or possession of flashing, rotating, or oscillating lights of any color, except as permitted by law or as specified in the Code.

MCL 257.698

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The scene of an accident or other emergency often is confusing and hectic, with many responders performing a variety of vital tasks. Darkness, bad weather, or the presence of traffic can complicate the situation and add an element of danger for those working at the scene. For these reasons, it is important that official vehicles on site be prominently lit. Flashing lights indicate that vehicles are responding to an emergency, and warn approaching motorists to proceed cautiously. The Michigan Vehicle Code authorizes certain vehicles to use specific colored lights, including oscillating blue lights for police cars and red lights for emergency response vehicles. Tow trucks and other vehicles may use amber lights. Because these colors convey a certain meaning as well as official standing at the scene of an accident, the Code limits the use or possession of such lights. The inappropriate use of red lights in particular is a misdemeanor.

Currently, the Code does not permit volunteer emergency responders to display flashing, rotating, or oscillating lights of any color. That lack of lighting limits the

volunteers' ability to alert motorists to their presence and could jeopardize the safety of both the responders and the motorists. Allowing volunteers to display amber lights at the scene of an incident, with the authorization of the local government, would be consistent with similar uses in the Code. Currently, amber lights are used to identify a variety of vehicles, including those responding to emergencies, spills, and other accidents. It would be appropriate and reasonable for volunteers acting in a similar capacity to display similar lights, so that their presence and official status are apparent.

Response: The bill should clarify specifically who is or would be permitted to possess flashing lights in given circumstances. In particular, some motorists carry portable strobe lights to set up along the side of the road if the vehicle breaks down. To reduce confusion, the bill should indicate whether those lights were permitted, whether they could be attached to the vehicle, and if they would be allowed only in certain colors.

In addition, responders to the scene of an accident reportedly identify the command car by a flashing green light. Since many of the colored lights at an accident have a particular significance, perhaps green lights should be designated in the statute as being for command cars only, to standardize that practice across the State.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Lindsay Hollander

A0708\265a

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.