

**SUBSTITUTE FOR
HOUSE BILL NO. 5247**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 698 (MCL 257.698), as amended by 2012 PA 262.

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 that 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 that shall emit a white or
6 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 shall be covered
2 or otherwise arranged so as not to reflect objectionable glare in
3 the eyes of an operator of a vehicle approaching from the rear.

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

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

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

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

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

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

6 (d) Flashing, rotating, or oscillating amber **OR GREEN** lights,
7 placed in a position as to be visible throughout an arc of 360
8 degrees, shall be used by a state, county, or municipal vehicle
9 engaged in the removal of ice, snow, or other material from the
10 highway and in other operations designed to control ice and snow,
11 **OR ENGAGED IN OTHER NON-WINTER OPERATIONS. THIS SUBDIVISION DOES**
12 **NOT PROHIBIT THE USE OF A FLASHING, ROTATING, OR OSCILLATING GREEN**
13 **LIGHT BY A FIRE SERVICE.**

14 (e) A vehicle used for the cleanup of spills or a necessary
15 emergency response action taken pursuant to state or federal law or
16 a vehicle operated by an employee of the department of natural
17 resources **OR THE DEPARTMENT OF ENVIRONMENTAL QUALITY** that responds
18 to a spill, emergency response action, complaint, or compliance
19 activity may be equipped with flashing, rotating, or oscillating
20 amber **OR GREEN** lights. ~~Such~~**THE** lights **DESCRIBED IN THIS**
21 **SUBDIVISION** shall not be activated unless the vehicle is at the
22 scene of a spill, emergency response action, complaint, or
23 compliance activity. **THIS SUBDIVISION DOES NOT PROHIBIT THE USE OF**
24 **A FLASHING, ROTATING, OR OSCILLATING GREEN LIGHT BY A FIRE SERVICE.**

25 (f) A vehicle to perform public utility service, a vehicle
26 owned or leased by and licensed as a business for use in the
27 collection and hauling of refuse, an automobile service car or

1 wrecker, a vehicle engaged in authorized highway repair or
2 maintenance, a vehicle of a peace officer, a vehicle operated by a
3 rural letter carrier or a person under contract to deliver
4 newspapers or other publications by motor route, a vehicle utilized
5 for snow or ice removal under section 682c, a private security
6 guard vehicle as authorized in subsection (7), a motor vehicle
7 while engaged in escorting or transporting an oversize load that
8 has been issued a permit by the state transportation department or
9 a local authority with respect to highways under its jurisdiction,
10 a vehicle owned by the national guard or a United States military
11 vehicle while traveling under the appropriate recognized military
12 authority, a motor vehicle while towing an implement of husbandry,
13 or an implement of husbandry may be equipped with flashing,
14 rotating, or oscillating amber lights. However, a wrecker may be
15 equipped with flashing, rotating, or oscillating red lights that
16 shall be activated only when the wrecker is engaged in removing or
17 assisting a vehicle at the scene of a traffic accident or
18 disablement. The flashing, rotating, or oscillating amber lights
19 shall not be activated except when the warning produced by the
20 lights is required for public safety.

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

26 (h) An authorized emergency vehicle may display flashing,
27 rotating, or oscillating white lights in conjunction with an

1 authorized emergency light as prescribed in this section.

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

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

21 (k) A person engaged in the manufacture, sale, or repair of
22 flashing, rotating, or oscillating lights governed by this
23 subsection may possess the lights for the purpose of employment,
24 but shall not activate the lights upon the highway unless
25 authorized 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 a
2 person except a police officer, sheriff, deputy sheriff, authorized
3 physician, volunteer or paid fire fighter, volunteer ambulance
4 driver, licensed ambulance driver or attendant of the state, a
5 county or municipality within the state, a person engaged in the
6 business of operating an ambulance or wrecker service, or a
7 federally recognized nonprofit charitable organization that owns
8 and operates an emergency support vehicle used exclusively for
9 emergencies. This subsection does not prohibit an authorized
10 vehicle, equipped with flashing, rotating, or oscillating blue or
11 red lights, from being operated by a person other than a person
12 described in this section if the person receives authorization to
13 operate the emergency vehicle from a police officer, sheriff,
14 deputy sheriff, authorized physician, volunteer or paid fire
15 fighter, volunteer ambulance driver, licensed ambulance driver or
16 attendant, a person operating an ambulance or wrecker service, or a
17 federally recognized nonprofit charitable organization that owns
18 and operates an emergency support vehicle used exclusively for
19 emergencies, except that the authorization shall not permit the
20 person to operate lights as described in subsection (5) (a), (b),
21 (c), (i), or (j), or to exercise the privileges described in
22 section 603. A person who operates an authorized emergency vehicle
23 in violation of the terms of an authorization is guilty of a
24 misdemeanor punishable by imprisonment for not more than 90 days or
25 a fine of not more than \$100.00, or both.

26 (7) A private motor vehicle of a security guard agency or
27 alarm company licensed under the private security business and

1 security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092, may
2 display flashing, rotating, or oscillating amber lights. The
3 flashing, rotating, or oscillating amber lights shall not be
4 activated on a public highway when a vehicle is in motion.

5 (8) This section does not prohibit, restrict, or limit the use
6 of lights authorized or required under sections 697, 697a, and
7 698a.

8 (9) A person who operates a vehicle in violation of subsection
9 (1), (2), (3), or (4) is responsible for a civil infraction.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.