

HOUSE BILL No. 5247

January 26, 2016, Introduced by Reps. VerHeulen, Garcia, Kivela, LaFontaine, Glardon, Pscholka, Afendoulis, Pagel, Lauwers, Crawford, Schor, Brinks, Graves, Lane, Potvin, Aaron Miller, Lucido, Sheppard and Brett Roberts and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
 "Michigan vehicle code,"
 by amending sections 682c and 698 (MCL 257.682c and 257.698),
 section 682c as added and section 698 as amended by 2012 PA 262.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 682c. (1) A person shall not operate a commercial snow
 2 removal vehicle to remove snow or ice on a public street or highway
 3 or in a parking lot accessible for use by the public unless the
 4 vehicle is operated with at least 1 flashing, rotating, or
 5 oscillating yellow, ~~or~~ amber, **OR GREEN** light that is clearly
 6 visible in a 360-degree arc from a distance of 500 feet when in
 7 use.

8 (2) A person who owns or leases a commercial snow removal
 9 vehicle shall not knowingly allow a person to operate that vehicle
 10 in violation of subsection (1).

1 (3) A person who violates this section is guilty of a
2 misdemeanor punishable by imprisonment for not more than 90 days or
3 a fine of not more than \$500.00, or both.

4 (4) As used in this section:

5 (a) "Commercial snow removal vehicle" means a vehicle equipped
6 with a plow or other device that is used to remove snow or ice for
7 payment or other remuneration.

8 (b) "Person" means an individual, partnership, corporation,
9 association, governmental entity, or other legal entity.

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

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

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

22 (4) Unless both covered and unlit, a vehicle operated on the
23 highways of this state shall not be equipped with a lamp or a part
24 designed to be a reflector unless expressly required or permitted
25 by this chapter or that meets the standards prescribed in 49 CFR
26 571.108. A lamp or a part designed to be a reflector, if visible
27 from the front, shall display or reflect a white or amber light; if

1 visible from either side, shall display or reflect an amber or red
2 light; and if visible from the rear, shall display or reflect a red
3 light, except as otherwise provided by law.

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

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

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

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

24 (d) Flashing, rotating, or oscillating amber **OR GREEN** lights,
25 placed in a position as to be visible throughout an arc of 360
26 degrees, shall be used by a state, county, or municipal vehicle
27 engaged in the removal of ice, snow, or other material from the

1 highway and in other operations designed to control ice and snow.
2 **THIS SUBDIVISION DOES NOT PROHIBIT THE USE OF A FLASHING, ROTATING,**
3 **OR OSCILLATING GREEN LIGHT BY A FIRE SERVICE.**

4 (e) A vehicle used for the cleanup of spills or a necessary
5 emergency response action taken pursuant to state or federal law or
6 a vehicle operated by an employee of the department of natural
7 resources that responds to a spill, emergency response action,
8 complaint, or compliance activity may be equipped with flashing,
9 rotating, or oscillating amber **OR GREEN** lights. ~~Such~~**THE** lights
10 **DESCRIBED IN THIS SUBDIVISION** shall not be activated unless the
11 vehicle is at the scene of a spill, emergency response action,
12 complaint, or compliance activity. **THIS SUBDIVISION DOES NOT**
13 **PROHIBIT THE USE OF A FLASHING, ROTATING, OR OSCILLATING GREEN**
14 **LIGHT BY A FIRE SERVICE.**

15 (f) A vehicle to perform public utility service, a vehicle
16 owned or leased by and licensed as a business for use in the
17 collection and hauling of refuse, an automobile service car or
18 wrecker, a vehicle engaged in authorized highway repair or
19 maintenance, a vehicle of a peace officer, a vehicle operated by a
20 rural letter carrier or a person under contract to deliver
21 newspapers or other publications by motor route, a vehicle utilized
22 for snow or ice removal under section 682c, a private security
23 guard vehicle as authorized in subsection (7), a motor vehicle
24 while engaged in escorting or transporting an oversize load that
25 has been issued a permit by the state transportation department or
26 a local authority with respect to highways under its jurisdiction,
27 a vehicle owned by the national guard or a United States military

1 vehicle while traveling under the appropriate recognized military
2 authority, a motor vehicle while towing an implement of husbandry,
3 or an implement of husbandry may be equipped with flashing,
4 rotating, or oscillating amber lights. However, a wrecker may be
5 equipped with flashing, rotating, or oscillating red lights that
6 shall be activated only when the wrecker is engaged in removing or
7 assisting a vehicle at the scene of a traffic accident or
8 disablement. The flashing, rotating, or oscillating amber lights
9 shall not be activated except when the warning produced by the
10 lights is required for public safety.

11 (g) A vehicle engaged in leading or escorting a funeral
12 procession or any vehicle that is part of a funeral procession may
13 be equipped with flashing, rotating, or oscillating purple or amber
14 lights that shall not be activated except during a funeral
15 procession.

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

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

26 (j) A public transit vehicle may be equipped with a flashing,
27 oscillating, or rotating light mounted on the roof of the vehicle

1 approximately 6 feet from the rear of the vehicle that displays a
2 white light to the front, side, and rear of the vehicle, which
3 light may be actuated by the driver for use only in inclement
4 weather such as fog, rain, or snow, when boarding or discharging
5 passengers, from 1/2 hour before sunset until 1/2 hour after
6 sunrise, or when conditions hinder the visibility of the public
7 transit vehicle. As used in this subdivision, "public transit
8 vehicle" means a motor vehicle, other than a station wagon or
9 passenger van, with a gross vehicle weight rating of more than
10 10,000 pounds.

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

16 (6) A person shall not sell, loan, or otherwise furnish a
17 flashing, rotating, or oscillating blue or red light designed
18 primarily for installation on an authorized emergency vehicle to a
19 person except a police officer, sheriff, deputy sheriff, authorized
20 physician, volunteer or paid fire fighter, volunteer ambulance
21 driver, licensed ambulance driver or attendant of the state, a
22 county or municipality within the state, a person engaged in the
23 business of operating an ambulance or wrecker service, or a
24 federally recognized nonprofit charitable organization that owns
25 and operates an emergency support vehicle used exclusively for
26 emergencies. This subsection does not prohibit an authorized
27 vehicle, equipped with flashing, rotating, or oscillating blue or

1 red lights, from being operated by a person other than a person
2 described in this section if the person receives authorization to
3 operate the emergency vehicle from a police officer, sheriff,
4 deputy sheriff, authorized physician, volunteer or paid fire
5 fighter, volunteer ambulance driver, licensed ambulance driver or
6 attendant, a person 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, except that the authorization shall not permit the
10 person to operate lights as described in subsection (5) (a), (b),
11 (c), (i), or (j), or to exercise the privileges described in
12 section 603. A person who operates an authorized emergency vehicle
13 in violation of the terms of an authorization is guilty of a
14 misdemeanor punishable by imprisonment for not more than 90 days or
15 a fine of not more than \$100.00, or both.

16 (7) A private motor vehicle of a security guard agency or
17 alarm company licensed under the private security business and
18 security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092, may
19 display flashing, rotating, or oscillating amber lights. The
20 flashing, rotating, or oscillating amber lights shall not be
21 activated on a public highway when a vehicle is in motion.

22 (8) This section does not prohibit, restrict, or limit the use
23 of lights authorized or required under sections 697, 697a, and
24 698a.

25 (9) A person who operates a vehicle in violation of subsection
26 (1), (2), (3), or (4) is responsible for a civil infraction.

27 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.