

## MICHIGAN VEHICLE CODE (EXCERPT)

### Act 300 of 1949

#### EQUIPMENT

#### **257.683 Driving or moving vehicle in unsafe condition; condition and adjustment of parts and equipment; stopping and inspecting vehicle; citation; training requirements as motor carrier enforcement officer; additional parts and accessories; exceptions; violation as civil infraction.**

Sec. 683. (1) A person shall not drive or move or the owner shall not cause or knowingly permit to be driven or moved on a highway a vehicle or combination of vehicles that is in such an unsafe condition as to endanger a person, or that does not contain those parts or is not at all times equipped with lamps and other equipment in proper condition and adjustment as required in sections 683 to 711, or that is equipped in a manner in violation of sections 683 to 711. A person shall not do an act forbidden or fail to perform an act required under sections 683 to 711.

(2) A police officer on reasonable grounds shown may stop a motor vehicle and inspect the motor vehicle, and if a defect in equipment is found, the officer may issue the driver a citation for a violation of a provision of sections 683 to 711.

(3) In order to be classified as a motor carrier enforcement officer, a police officer must have training equal to the minimum training requirements, including any annual training updates, established by the department of state police for an officer of the motor carrier division of the department of state police. A police officer who has received training equal to these minimum training requirements before the effective date of this section is considered a motor carrier enforcement officer for purposes of this act.

(4) Sections 683 to 711 shall not prohibit the use of additional parts and accessories on a vehicle that are not inconsistent with those sections.

(5) The provisions of sections 683 to 711 with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors, except as specifically provided in sections 683 to 711.

(6) Except as otherwise provided in section 698 or 707d, a person who violates a provision of sections 683 to 711 with respect to equipment on vehicles is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 66, Eff. Aug. 1, 1979;—Am. 2000, Act 97, Imd. Eff. May 15, 2000;—Am. 2005, Act 179, Imd. Eff. Oct. 20, 2005.

#### **257.684 Head lamps; lighting, distance, height.**

Sec. 684. (a) Every vehicle upon a highway within this state at any time from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as hereinafter stated. When lighted lamps and illuminated devices are required by law no vehicle shall be operated upon any highway of this state with only the parking lights illuminated on the front of the vehicle.

(b) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in paragraph (a) of this section upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(c) Whenever requirement is hereinafter declared as to the mounted height of lamps or devices, it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1961, Act 160, Eff. Sept. 8, 1961;—Am. 1963, Act 58, Eff. Sept. 6, 1963.

#### **257.684a Implement of husbandry; sale; requirements; posting standards.**

Sec. 684a. (1) Beginning January 1, 2007, a person shall not sell an implement of husbandry that does not comply with this section. This section does not apply to an implement of husbandry that was manufactured before January 1, 2007.

(2) An implement of husbandry shall comply with the following, which are incorporated by reference:

(a) ANSI/SAE S276.6 JAN2005, Slow-Moving Vehicle Identification Emblem.

(b) ANSI/SAE S279.12 DEC02, Lighting and Marking of Agricultural Equipment on Highways.

(3) The secretary of state shall post, on its website, the standards incorporated by reference under

subsection (2) not later than 30 days after enactment of the amendatory act that added this section.

**History:** Add. 2006, Act 14, Imd. Eff. Feb. 9, 2006.

### **257.685 Head lamps; number; modulator; height; auxiliary, spot, or other lamp; exemption.**

Sec. 685. (1) Except as otherwise provided in subsection (2), a motor vehicle shall be equipped with at least 2 head lamps with at least 1 head lamp on each side of the front of the motor vehicle, in compliance with this chapter. An implement of husbandry manufactured on or after January 1, 2007 shall comply with section 684a.

(2) A motorcycle or moped shall be equipped with at least 1 and not more than 2 head lamps that comply with this chapter.

(3) A motorcycle or moped head lamp may be wired or equipped to allow either its upper beam or its lower beam, but not both, to modulate from a higher intensity to a lower intensity. A head lamp modulator installed on a motorcycle or moped with 2 head lamps shall be wired in a manner to prevent the head lamps from modulating at different rates or not in synchronization with each other. A head lamp modulator installed on a motorcycle or moped shall meet the standards prescribed in 49 CFR 571.108.

(4) Every head lamp upon a motor vehicle shall be located at a height measured from the center of the head lamp of not more than 54 inches nor less than 24 inches above the level surface upon which the vehicle stands.

(5) When a motor vehicle equipped with head lamps as required in this section is also equipped with auxiliary lamps or a spot lamp or any other lamp on the front of the motor vehicle projecting a beam of an intensity greater than 300 candlepower, not more than a total of 4 of those lamps on the front of a vehicle shall be lighted at a time when upon a highway.

(6) A motor vehicle licensed as an historic vehicle is exempt from the requirements of this section if the vehicle as originally equipped failed to meet these requirements. An historic vehicle shall not be operated in violation of section 684.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1957, Act 22, Imd. Eff. Apr. 19, 1957;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977;—Am. 1978, Act 55, Imd. Eff. Mar. 10, 1978;—Am. 2006, Act 14, Imd. Eff. Feb. 9, 2006;—Am. 2006, Act 453, Imd. Eff. Dec. 14, 2006.

### **257.686 Rear lamps; exemption; requirements for implement of husbandry; pickup camper.**

Sec. 686. (1) A motor vehicle, trailer, semitrailer, pole trailer, or vehicle which is being drawn in a train of vehicles shall be equipped with at least 1 rear lamp mounted on the rear, which, when lighted as required by this act, shall emit a red light plainly visible from a distance of 500 feet to the rear.

(2) Either a tail lamp or a separate lamp shall be constructed and placed so as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. A tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be wired so as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

(3) A motor vehicle licensed as an historic vehicle is exempt from the requirements of this section if the vehicle as originally equipped failed to meet these requirements.

(4) When operated or moved on a highway at the times specified in section 684, an implement of husbandry shall meet either of the following requirements:

(a) For implements of husbandry manufactured before January 1, 2007, the following:

(i) Display lighted rear lamps which meet the requirements of subsection (1).

(ii) Be accompanied by a vehicle which follows behind the implement of husbandry at a distance of not more than 50 feet, illuminates the implement of husbandry with the vehicle's headlights, and displays on the rear of the vehicle lighted rear lamps as required by this section.

(b) For implements of husbandry manufactured on or after January 1, 2007, the provisions of section 684a.

(5) A pickup camper shall be attached to the motor vehicle in a manner so that the registration plate of the motor vehicle is clearly visible.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 55, Imd. Eff. Mar. 10, 1978;—Am. 1987, Act 90, Imd. Eff. July 1, 1987;—Am. 1990, Act 98, Eff. Jan. 1, 1991;—Am. 2006, Act 14, Imd. Eff. Feb. 9, 2006.

### **257.687 Special lamps for passenger buses, trucks and trailers.**

Sec. 687. The sections of this chapter immediately following relating to clearance and marker lamps, reflectors and stop lights shall apply as stated in said sections to vehicles of the type therein enumerated, namely: Passenger busses, trucks, truck tractors, and certain trailers, semi-trailers, and pole-trailers, respectively, when operated upon any highway, and said vehicles shall be equipped as required and all lamp equipment required shall be lighted at the times mentioned in section 684 of this chapter except that clearance

and side marker lamps need not be lighted on any said vehicle when operated within any municipality where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

### **257.688 Additional lights or reflectors on vehicles.**

Sec. 688. (1) In addition to other equipment required in this chapter, the following vehicles shall be equipped as provided in this section under the conditions stated in section 687:

(a) On every bus or truck, whatever its size, there shall be on the rear, 2 red reflectors, 1 on each side, and 1 red or amber stop light.

(b) On every bus or truck 80 inches or more in overall width, in addition to the requirements in subdivision (a), the following:

(i) On the front, 2 clearance lamps, 1 at each side.

(ii) On the rear, 2 clearance lamps, 1 at each side.

(iii) On each side, 2 side marker lamps, 1 at or near the front and 1 at or near the rear.

(iv) On each side, 2 reflectors, 1 at or near the front and 1 at or near the rear.

(v) Three identification lamps, mounted on the vertical centerline of the vehicle or the vertical centerline of the cab where different from the centerline of the vehicle, except that, if the cab is not more than 42 inches wide at the front roofline, a single lamp at the center of the cab satisfies the requirements for identification lamps. The identification lamps or their mounts shall not extend below the top of the vehicle windshield.

(c) On every truck tractor, the following:

(i) On the front, 2 clearance lamps, 1 at each side.

(ii) On the rear, 1 stop light.

(d) On every trailer, pickup camper, or semitrailer having a gross weight in excess of 3,000 pounds, the following:

(i) On the front, 2 clearance lamps, 1 at each side.

(ii) On each side, 2 side marker lamps, 1 at or near the front and 1 at or near the rear.

(iii) On each side, 2 reflectors, 1 at or near the front and 1 at or near the rear.

(iv) On the rear, 2 clearance lamps, 1 at each side, also 2 reflectors, 1 at each side, and 1 stop light.

(e) On every poletrailer, the following:

(i) On each side, 1 side marker lamp and 1 clearance lamp which may be in combination, to show to the front, side, or rear.

(ii) On the rear of the poletrailer or load, 2 reflectors, 1 on each side.

(f) On every trailer, pickup camper, or semitrailer weighing 3,000 pounds gross or less, on the rear, 2 reflectors, 1 on each side if any trailer or semitrailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, then such vehicle shall also be equipped with 1 stop light.

(g) Subject to subsection (3), when operated on the highway, every vehicle that has a maximum potential speed of 25 miles an hour, implement of husbandry, farm tractor, modified agriculture vehicle, or special mobile equipment shall be identified with a reflective device as follows:

(i) An equilateral triangle in shape, at least 16 inches wide at the base and at least 14 inches in height: with a dark red border, at least 1-3/4 inches wide of highly reflective beaded material.

(ii) A center triangle, at least 12-1/4 inches on each side of yellow-orange fluorescent material.

(2) The device described in subsection (1)(g) shall be mounted on the rear of the vehicle, broad base down, not less than 3 feet nor more than 5 feet above the ground and as near the center of the vehicle as possible. The use of this reflective device is restricted to use on slow moving vehicles specified in this section, and use of such reflective device on any other type of vehicle or stationary object on the highway is prohibited. On the rear, at each side, red reflectors or reflectorized material visible from all distances within 500 to 50 feet to the rear when directly in front of lawful upper beams of headlamps.

(3) An implement of husbandry manufactured on or after January 1, 2007 shall comply with section 684a.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1963, Act 211, Eff. Sept. 6, 1963;—Am. 1966, Act 163, Eff. Mar. 10, 1967;—Am. 1988, Act 383, Eff. Apr. 1, 1989;—Am. 1990, Act 98, Eff. Jan. 1, 1991;—Am. 2006, Act 14, Imd. Eff. Feb. 9, 2006;—Am. 2012, Act 252, Imd. Eff. July 2, 2012.

### **257.689 Clearance and marker lamps and reflectors; color.**

Sec. 689. (a) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.

(b) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.

(c) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red or amber, and except that the light illuminating the license plate shall be white.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.690 Reflectors, clearance lamps, and side marker lamps; mounting.**

Sec. 690. (1) Reflectors shall be mounted at a height not less than 15 inches and not higher than 60 inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than 15 inches, the reflector at such point shall be mounted as high as that part of the permanent structure will permit.

(2) The rear reflectors on a pole-trailer may be mounted on each side of the bolster or load.

(3) Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but such reflector shall meet all the other reflector requirements of this chapter.

(4) Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination if illumination is given as required herein with reference to both.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1988, Act 383, Eff. Apr. 1, 1989.

#### **257.691 Clearance and marker lamps and reflectors; visibility.**

Sec. 691. (a) Every reflector upon any vehicle referred to in section 689 of this chapter shall be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within 500 feet to 50 feet from the vehicle when directly in front of lawful upper beams of headlamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear.

(b) Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of 500 feet from the front and rear, respectively, of the vehicle.

(c) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of 500 feet from the side of the vehicle on which mounted.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.692 Combination vehicles; obstructed lights, lighting requirements.**

Sec. 692. Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) need not be lighted which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination, but this shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps, nor that all lights required on the rear of the rearmost vehicle of any combination shall be lighted.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.693 Lamp or flag on projecting load.**

Sec. 693. Whenever the load upon any vehicle extends to the rear 4 feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at the times specified in section 684 hereof, a red light or lantern plainly visible from a distance of at least 500 feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than 12 inches square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.694 Parked vehicles; lighting.**

Sec. 694. Whenever a vehicle is parked or stopped upon a highway whether attended or unattended during the times mentioned in section 684, there shall be displayed upon the left side of such vehicle 1 or more lamps projecting a white or amber light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and projecting a red light visible under like conditions from a distance of 500 feet to the rear, except that local authorities may provide by ordinance that no lights need be displayed upon any such vehicle when parked in accordance with local ordinances upon a highway where there is sufficient light to reveal any person within a distance of 500 feet upon such highway.

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**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1959, Act 80, Imd. Eff. June 29, 1959.

#### **257.695 Minimum lighting for all vehicles.**

Sec. 695. All vehicles, including animal-drawn vehicles, implements of husbandry, road machinery, road rollers, and farm tractors, not otherwise required under this act to be equipped with head or rear lamps, shall at the times specified in section 684 be in compliance with either of the following:

(a) For implements of husbandry manufactured before January 1, 2007, be equipped with at least 1 lighted lamp exhibiting a white light visible from a distance of 500 feet to the front of the vehicle and with a lamp exhibiting a red light visible from a distance of 500 feet to the rear of the vehicle.

(b) For implements of husbandry manufactured on or after January 1, 2007, be in compliance with section 684a.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1987, Act 90, Imd. Eff. July 1, 1987;—Am. 1995, Act 221, Eff. Jan. 1, 1996;—Am. 2006, Act 14, Imd. Eff. Feb. 9, 2006.

#### **257.696 Spot lamps; fog lamps.**

Sec. 696. (a) A motor vehicle may be equipped with not more than 2 spot lamps, except that a motorcycle shall not be equipped with more than 1 spot lamp, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the beam will be directed into the eyes of the approaching driver. Spot lamps may not emit other than either a white or amber light.

(b) A motor vehicle may be equipped with not more than 2 fog lamps mounted on the front at a height of not less than 12 inches nor more than 30 inches above the level surface upon which the vehicle stands, which fog lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of 25 feet ahead project higher than a level 4 inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the requirements of this subsection may be used with lower head-lamp beams.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1977, Act 38, Imd. Eff. June 22, 1977.

#### **257.697 Signal lamps or devices; exemption.**

Sec. 697. (a) A motor vehicle may be equipped and when required under this chapter shall be equipped with the following signal lamps or devices:

(1) A stop lamp on the rear which shall emit a red or amber light and which shall be actuated upon application of the service or foot brake and which may but need not be incorporated with a tail lamp.

(2) A lamp or lamps or mechanical signal device which conveys an intelligible signal or warning to another driver approaching from the rear.

(b) A stop lamp shall be capable of being seen and distinguished from a distance of 100 feet to the rear both during normal sunlight and at nighttime and a signal lamp or lamps indicating intention to turn shall be capable of being seen and distinguished during daytime and nighttime from a distance of 100 feet both to the front and rear. When a vehicle is equipped with a stop lamp or other signal lamps, the lamp or lamps shall at all times be maintained in good working condition. A stop lamp or signal lamp shall not project a glaring or dazzling light.

(c) All mechanical signal devices shall be self-illuminated when in use at the times mentioned in section 684.

(d) A motor vehicle licensed as an historic vehicle is exempt from the requirements of this section if the vehicle as originally equipped failed to meet these requirements.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 55, Imd. Eff. Mar. 10, 1978.

#### **257.697a Sale or operation of certain vehicles unlawful; exception.**

Sec. 697a. No person shall sell or offer for sale or operate on the highways any vehicles manufactured or assembled after January 1, 1955, except those exempted from certificate of title requirements under the provisions of section 216 of chapter 2 of this act, as amended, unless it is equipped with mechanical or electrical turn signals meeting the requirements of section 697. This section shall not apply to any motorcycle or motor-driven cycle.

**History:** Add. 1954, Act 181, Eff. Aug. 13, 1954.

#### **257.697b Rear stop lamps.**

Sec. 697b. A person shall not sell or offer for sale or operate on the highways a vehicle manufactured or assembled after January 1, 1965, except those exempted from certificate of title requirements under the provisions of section 216, unless the vehicle is equipped with 2 rear stop lamps except on a motorcycle or moped meeting the requirements of section 697. A motorcycle or moped shall be required to have 1 rear stop



lamp.

**History:** Add. 1964, Act 150, Eff. Aug. 28, 1964;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977.

**257.698 Side cowl or fender lamps; running board courtesy lamp; backing lights; lamp or reflector; flashing, oscillating, or rotating lights; private motor vehicle of security guard agency or alarm company; use of lights authorized or required under MCL 257.697, 257.697a, and 257.698a; violation as civil infraction.**

Sec. 698. (1) A motor vehicle may be equipped with not more than 2 side cowl or fender lamps that 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 that emits 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 must be covered or otherwise arranged so as not to reflect objectionable glare in the eyes of an operator of a vehicle approaching from the rear.

(4) Unless both covered and unlit, a vehicle operated on the highways of this state must 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 CFR 571.108. Except as otherwise provided, a lamp or a part designed to be a reflector, if visible from the front, must display or reflect a white or amber light; if visible from either side, must display or reflect an amber or red light; and if visible from the rear, must display or reflect a red light.

(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 must 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, this state, or any unit of this state, whether publicly or privately owned, must be equipped with flashing, rotating, or oscillating red lights and used as required for safety.

(c) An authorized emergency vehicle 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 clearly visible in a 360-degree arc from a distance of 500 feet.

(d) Flashing, rotating, or oscillating amber or green lights, placed in a position as to be visible throughout an arc of 360 degrees, must 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, or engaged in other non-winter operations. This subdivision does not prohibit the use of a flashing, rotating, or oscillating green light by a fire service.

(e) A vehicle used for the cleanup of spills or a necessary emergency response action taken under state or federal law or a vehicle operated by an employee of the department of natural resources or the department of environment, Great Lakes, and energy that responds to a spill, emergency response action, complaint, or compliance activity may be equipped with flashing, rotating, or oscillating amber or green lights. The lights described in this subdivision must not be activated unless the vehicle is at the scene of a spill, emergency response action, complaint, or compliance activity. This subdivision does not prohibit the use of a flashing, rotating, or oscillating green light by a fire service.

(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 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 or ice removal under section 682c, a private security guard vehicle as authorized in subsection (7), 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 that must 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 must not be activated except when the warning produced by the lights is required for public safety. A vehicle engaged in authorized highway repair or maintenance may be equipped with flashing, rotating, or oscillating amber or green lights.

This subdivision does not prohibit the operator of a vehicle utilized for snow or ice removal under section 682c that is equipped with flashing, rotating, or oscillating amber lights from activating the flashing, rotating, or oscillating amber lights when that vehicle is traveling between locations at which it is being utilized for snow or ice removal.

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

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

(i) 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.

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

(k) 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).

(l) A vehicle used as part of a neighborhood watch program may be equipped with flashing, rotating, or oscillating amber lights, if the vehicle is clearly identified as a neighborhood watch vehicle and the neighborhood watch program is working in cooperation with local law enforcement. The lights described in this subdivision must not be activated when the vehicle is not being used to perform neighborhood watch program duties.

(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 this state, a county or municipality within this state, a person engaged in the business of operating an ambulance or wrecker service, or a federally recognized nonprofit charitable organization that owns and operates an emergency support vehicle used exclusively for emergencies. This subsection does not prohibit an authorized emergency 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 authorized 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 that owns and operates an emergency support vehicle used exclusively for emergencies, except that the authorization must not permit the person to operate lights as described in subsection (5)(a), (b), (c), (i), or (j), or to exercise the privileges described in section 603.

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

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

(9) A person who operates a vehicle in violation of this section is responsible for a civil infraction and shall be ordered to pay a civil fine of not more than \$100.00.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1951, Act 270, Eff. Sept. 28, 1951;—Am. 1953, Act 206, Imd. Eff. June 10, 1953;—Am. 1957, Act 19, Eff. Sept. 27, 1957;—Am. 1959, Act 151, Imd. Eff. July 16, 1959;—Am. 1964, Act 7, Imd. Eff. Mar. 20, 1964;—Am. 1975, Act 100, Eff. July 1, 1976;—Am. 1976, Act 347, Imd. Eff. Dec. 21, 1976;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1980, Act 37, Imd. Eff. Mar. 12, 1980;—Am. 1980, Act 270, Imd. Eff. Oct. 1, 1980;—Am. 1984, Act 100, Imd. Eff. May 8, 1984;—Am. 1984, Act 326, Imd. Eff. Dec. 26, 1984;—Am. 1990, Act 188, Eff. Aug. 15, 1990;—Am. 1990, Act 335, Imd. Eff. Dec. 21, 1990;—Am. 1994, Act 101, Imd. Eff. Apr. 18, 1994;—Am. 1997, Act 8, Imd. Eff. May 16, 1997;—Am. 1998, Act 247, Imd. Eff. July 8, 1998;—Am. 2012, Act 262, Imd. Eff. July 2, 2012;—Am. 2016, Act 161, Eff. Sept. 7, 2016;—Am. 2017, Act 37, Eff. Aug. 21, 2017;—Am. 2018, Act

**257.698a Vehicular traffic hazard; front and rear warning lamps.**

Sec. 698a. Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing, and when so equipped may display such warning in addition to any other warning signals required by this act. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night.

**History:** Add. 1962, Act 166, Eff. Mar. 28, 1963.

**257.699 Multiple beam road lighting equipment; requirements and limitations.**

Sec. 699. Except as hereinafter provided, the head lamps, or the auxiliary driving lamps, or combinations thereof, on motor vehicles shall be so arranged that selection may be made between distributions of light projected to different elevations, subject to the following requirements and limitations:

(a) Head lamps shall in all cases emit a white light. Auxiliary lamps may emit either a white or amber light.

(b) There shall be an uppermost distribution of light, or composite beam, so aimed and of an intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading.

(c) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead; and under any condition of loading none of the high intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

(d) Every new motor vehicle except motorcycles and mopeds registered in this state which has multiple beam road lighting equipment shall be equipped with a beam indicator, which shall be lighted when the uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted. The indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1954, Act 101, Eff. Aug. 13, 1954;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977.

**257.700 Multiple-beam road lighting equipment; oncoming traffic; intensity.**

Sec. 700. (a) Whenever a motor vehicle is being operated on a highway or shoulder adjacent thereto during the times specified in section 684, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(b) Whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver.

The lowermost distribution of light, specified in section 699 paragraph (c), shall be deemed to avoid glare at all times regardless of road contour and loading.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1954, Act 101, Eff. Aug. 13, 1954.

**257.701 Single-beam road-lighting equipment; intensity.**

Sec. 701. Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to the effective date of this act in lieu of multiple-beam road-lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

1. The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of 25 feet ahead project higher than a level of 5 inches below the level of the center of the lamp from which it comes, and in no case higher than 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead.

2. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.702 Head lamps on mopeds; single beam or multiple beam type; requirements and limitations.**



Sec. 702. The head lamp or head lamps upon every moped may be of the single beam or multiple beam type, but in either event shall comply with the requirements and limitations as follows:

(1) Every head lamp or head lamps on a moped shall be of sufficient intensity to reveal a person or a vehicle at a distance of not less than 100 feet.

(2) If the moped is equipped with a multiple beam head lamp or head lamps, the upper beam shall meet the minimum requirements set forth above and shall not exceed the limitations set forth in section 699(b) and the lowermost beam shall meet the requirements applicable to a lowermost distribution of light, as set forth in section 699(c).

(3) If the moped is equipped with a single beam lamp or lamps, the lamp or lamps shall be so aimed that when the vehicle is loaded none of the high intensity portion of light, at a distance of 25 feet ahead, shall project higher than the level of the center of the lamp from which it comes.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977.

#### **257.703 Slow-moving vehicles; reduced lighting power.**

Sec. 703. Any motor vehicle may be operated under the conditions specified in section 684 when equipped with 2 lighted lamps upon the front thereof capable of revealing persons and objects 75 feet ahead in lieu of lamps required in section 699 or section 701: Provided, however, That at no time shall it be operated at a speed in excess of 20 miles per hour.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.704 Special restriction as to direction of certain lights.**

Sec. 704. Any lighted lamp or illuminating device upon a motor vehicle other than head lamps, spot lamps, auxiliary lamps, or flashing front direction signals which projects a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.705 Brake equipment.**

Sec. 705. (1) Brake equipment shall be required as follows:

(a) A motor vehicle, other than a motorcycle or moped, and a low-speed vehicle when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle, including 2 separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least 2 wheels. If these 2 separate means of applying the brakes are connected in any way, they shall be constructed in a way that failure of 1 part of the operating mechanism shall not leave the motor vehicle without brakes on at least 2 wheels.

(b) A motorcycle or moped when operated upon a highway shall be equipped with at least 2 brakes, 1 on the front wheel and 1 on the rear wheel, that may be operated by hand or foot.

(c) A trailer or semitrailer of a gross weight of 15,001 pounds or more when operated upon a highway shall be equipped with brakes operating on all wheels and designed to be applied by the driver of the towing motor vehicle from its cab.

(d) A new motor vehicle, trailer, or semitrailer sold in this state and operated upon the highways shall be equipped with brakes on all wheels, except a motorcycle or moped, and except that a semitrailer, pole trailer, or trailer of less than 3,000 pounds gross weight need not be equipped with brakes if the gross weight of a trailer or pole trailer, no part of the load of which rests upon the towing vehicle, does not exceed 40% of the gross weight of the towing vehicle, and if the gross weight of the towing vehicle and the gross weight of a semitrailer or pole trailer, part of the load of which rests upon the towing vehicle, does not exceed 40% of the gross weight of the towing vehicle when connected to the semitrailer or pole trailer. This subdivision does not apply to a trailer or semitrailer owned by a farmer and used exclusively in connection with the farming operations of the farmer and not used for hire.

(e) Every bus, school bus, truck, or truck tractor shall be equipped with brakes operating on all wheels, except that a truck or truck tractor that has 3 or more axles need not have brakes on the front wheels if the vehicle was manufactured before July 25, 1980.

(f) In any combination of motor driven vehicles, means shall be provided for applying the rearmost trailer brakes, for a trailer equipped with brakes, in approximate synchronism with the brakes on the towing vehicle and developing the required braking effort on the rearmost wheels at the fastest rate; or means shall be provided for applying braking effort first on the rearmost trailer equipped with brakes; or both of the above means capable of being used alternatively may be employed.

(g) A motor vehicle and combination of vehicles, except pole trailers, motorcycles, and mopeds, shall be

equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading on a surface free from snow, ice, or loose material. The parking brakes shall be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power if failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied in conformance with the foregoing requirements. The parking brakes shall be designed in a manner that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes, and lining assemblies, brake shoe anchors, and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be constructed in a manner that failure of 1 part shall not leave the vehicle without operative brakes.

(h) The brake shoes operating within or upon the drums of the vehicle wheels of a motor vehicle may be used for both service and hand operation.

(2) A motor vehicle or combination of motor-drawn vehicles shall be capable at all times and under all conditions of loading, of being stopped on a dry, smooth, level road free from loose material within the distances specified in this subsection, or shall be capable of being decelerated at a sustained rate corresponding to these distances upon initial application of the service (foot) brake.

	Feet to stop from 20 miles per hour	Deceleration in feet per second
Vehicles or combination of vehicles having brakes on all wheels.....	30	14
Vehicles or combination of vehicles not having brakes on all wheels.....	40	10.7

(3) Subsection (2) does not apply to a combination of motor-drawn vehicles under all of the following circumstances:

(a) The drawn vehicle is an implement of husbandry.

(b) The motor vehicle hauling the implement of husbandry does not exceed a maximum speed of 25 miles per hour if the implement of husbandry being drawn is not equipped with brakes that meet the standards set forth in 49 CFR 393.40 and this act.

(c) If the implement of husbandry being drawn does not exceed any other implement or component design maximum speed limitation, the combination of vehicles shall not exceed that maximum speed limitation.

(4) Nothing in this act or rules promulgated under this act requires a slasher saw table to be equipped with brakes.

(5) All brakes shall be maintained in good working order and shall be adjusted in a manner as to operate as equally as practicable with respect to the wheels on the opposite side of the vehicle.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1964, Act 29, Imd. Eff. May 1, 1964;—Am. 1969, Act 134, Imd. Eff. June 1, 1970;—Am. 1974, Act 60, Imd. Eff. Apr. 1, 1974;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977;—Am. 1988, Act 357, Eff. Apr. 1, 1989;—Am. 1995, Act 91, Imd. Eff. June 20, 1995;—Am. 2000, Act 82, Eff. July 1, 2000;—Am. 2000, Act 214, Imd. Eff. June 27, 2000;—Am. 2011, Act 151, Imd. Eff. Sept. 21, 2011.

**Compiler's note:** In subsection (2), the second column heading that reads "Deceleration in feet per second" evidently should read "Deceleration in feet per second per second."

**257.705a Brake fluid specifications.**

Sec. 705a. On and after January 1, 1961, no person shall have for sale, or sell or offer for sale, for use in motor vehicle brake systems in this state, any hydraulic brake fluid which does not meet the minimum specifications of the society of automotive engineers for heavy duty brake fluid, as prescribed March 1, 1960.

**History:** Add. 1960, Act 60, Eff. Aug. 17, 1960.

**257.706 Horn or other warning device; siren, whistle, air horn, or bell; theft alarm signal device.**

Sec. 706. (a) A motor vehicle, including a motorcycle or moped, when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet but a horn or other warning device shall not emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use the horn when upon a highway.

(b) A vehicle shall not be equipped with nor shall a person use upon a vehicle a siren, whistle, or bell, except as otherwise permitted in this section.

(c) A commercial vehicle may be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.

(d) An authorized emergency vehicle may be equipped with a siren, whistle, air horn, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet, but the siren shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law. In those cases the driver of the vehicle shall sound the siren when necessary to warn pedestrians and other drivers of the approach of the vehicle.

(e) A motor vehicle licensed as an historic vehicle may be equipped with a siren, whistle, or bell which may be used when participating in a parade, exhibition, tour, or similar event.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1969, Act 134, Imd. Eff. June 1, 1970;—Am. 1975, Act 100, Eff. July 1, 1976;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977;—Am. 1978, Act 55, Imd. Eff. Mar. 10, 1978.

### **257.707 Muffler, engine, power mechanism, and exhaust system; requirements; prohibitions.**

Sec. 707. (1) A motor vehicle, including a motorcycle or moped, shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. A person shall not remove, destroy, or damage any of the baffles contained in the muffler, nor shall a person use a muffler cutout, bypass, or similar device upon a motorcycle or moped on a highway or street.

(2) The engine and power mechanism of a motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

(3) A motor vehicle shall at all times be equipped with a properly operating exhaust system which shall include a tailpipe and resonator on a vehicle where the original design included a tailpipe and resonator.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1969, Act 134, Imd. Eff. June 1, 1970;—Am. 1976, Act 44, Imd. Eff. Mar. 17, 1976;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977.

### **257.707a Definitions used in MCL 257.707a to 257.707e.**

Sec. 707a. As used in sections 707a to 707e:

(a) "Decibel" means a unit of sound level on a logarithmic scale measured relative to the threshold of audible sound by the human ear, in compliance with American national standards institute standard S 1.1-1960.

(b) "Decibels on the a-weighted network" or "DBA" means decibels measured on the a-weighted network of a sound level meter, as specified in American national standards institute standard S 1.4-1971.

(c) "Fast meter response" means the meter ballistics of meter dynamic characteristics as specified by American national standard S 1.4-1971.

(d) "Maximum noise" means the noise emitted from a vehicle during that manner of operation which causes the highest DBA level possible from that vehicle.

(e) "Muffler" means a device for abating the sound of escaping gases of an internal combustion engine.

(f) "Exhaust system" means the system comprised of a combination of components which provides for enclosed flow of exhaust gas from engine parts to the atmosphere.

(g) "Noise" means any sound.

(h) "Total noise" means noises radiating from a vehicle but does not include noises emitted from a horn, siren, bell or other similar device of an authorized emergency vehicle.

(i) "Gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a vehicle.

(j) "Combination vehicle" means any combination of truck, truck tractor, trailer, semi-trailer or pole trailer used upon the highways or streets in the transportation of passengers or property.

**History:** Add. 1978, Act 73, Imd. Eff. Mar. 21, 1978;—Am. 1978, Act 492, Imd. Eff. Dec. 1, 1978.

### **257.707b Exhaust system; requirements.**

Sec. 707b. (1) A motor vehicle, while being operated on a highway or street, shall be equipped with an exhaust system in good working order to prevent excessive or unusual noise and shall be equipped to prevent noise in excess of the limits established in this act.

(2) For purposes of sections 707a to 707f, a motor vehicle does not include a special mobile equipment.

**History:** Add. 1978, Act 73, Imd. Eff. Mar. 21, 1978.

### **257.707c Noise limitations; prohibitions; violation as civil infraction.**

Sec. 707c. (1) A motor vehicle must not be operated or driven on a highway or street if the motor vehicle produces total noise exceeding 1 of the following limits at a distance of 50 feet except as provided in subdivisions (b)(iii) and (c)(iii):

(a) A motor vehicle with a gross weight or gross vehicle weight rating of 8,500 pounds or more, combination vehicle with gross weight or gross vehicle weight ratings of 8,500 pounds or more.

(i) Ninety DBA if the maximum lawful speed on the highway or street is greater than 35 miles per hour.

(ii) Eighty-six DBA if the maximum lawful speed on the highway or street is not more than 35 miles per hour.

(iii) Eighty-eight DBA under stationary run-up test.

(b) A motorcycle or a moped:

(i) Eighty-six DBA if the maximum lawful speed on the highway or street is greater than 35 miles per hour.

(ii) Eighty-two DBA if the maximum lawful speed on the highway or street is not more than 35 miles per hour.

(iii) Ninety-five DBA under stationary run-up test at 75 inches.

(c) A motor vehicle or a combination of vehicles towed by a motor vehicle not covered in subdivision (a) or (b):

(i) Eighty-two DBA if the maximum lawful speed on the highway or street is greater than 35 miles per hour.

(ii) Seventy-six DBA if the maximum lawful speed on the highway or street is not more than 35 miles per hour.

(iii) Ninety-five DBA under stationary run-up test 20 inches from the end of the tailpipe.

(2) A dealer shall not sell or offer for sale for use upon a street or highway in this state a new motor vehicle that produces a maximum noise exceeding the following limits:

(a) A motor vehicle with a gross vehicle weight rating of 8,500 pounds or more—83 DBA.

(b) A motorcycle or a moped—83 DBA.

(c) A motor vehicle not covered in subdivision (a) or (b)—80 DBA.

(3) A person shall not operate a vehicle on a highway or street if the vehicle has a defect in the exhaust system that affects sound reduction, is not equipped with a muffler or other noise dissipative device, or is equipped with a cutout, bypass, amplifier, or a similar device.

(4) A person, either acting for himself or herself or as the agent or employee of another, shall not sell, install, or replace a muffler or exhaust part that causes the motor vehicle to which the muffler or exhaust part is attached to exceed the noise limits established by this act or a rule promulgated under this act.

(5) A person shall not modify, repair, replace, or remove a part of an exhaust system causing the motor vehicle to which the system is attached to produce noise in excess of the levels established by this act, or operate a motor vehicle so altered on a street or highway.

(6) A dealer shall not sell a used or secondhand motor vehicle for use upon a street or highway that is not in compliance with this act.

(7) A person who violates this section is responsible for a civil infraction and shall be ordered to pay a civil fine of not more than \$100.00.

**History:** Add. 1978, Act 73, Imd. Eff. Mar. 21, 1978;—Am. 1978, Act 492, Imd. Eff. Dec. 1, 1978;—Am. 2020, Act 382, Eff. Oct. 1, 2021.

### **257.707d Violations; penalties; liability; prima facie evidence.**

Sec. 707d. (1) A person who violates section 707c(2), (4), or (6) is guilty of a misdemeanor punishable by a fine of \$100.00.

(2) A person who violates section 707b or 707c(1), (3), or (5) is responsible for a civil infraction.

(3) A person who, at the time of installation, knowingly installs a muffler or exhaust system which exceeds the decibel limits of this act shall be liable to the person who receives a citation for violation of 707c for the amount of not less than \$100.00, plus reasonable attorney fees and court costs.

(4) If it is shown that the noise level of a motor vehicle is in excess of the DBA levels established in this act, that evidence shall be prima facie evidence that the motor vehicle was producing excessive noise in violation of this act.

(5) A violation of section 707c(4) or (6) by a dealer licensed under this act is prima facie evidence of a fraudulent act under section 249.

**History:** Add. 1978, Act 73, Imd. Eff. Mar. 21, 1978;—Am. 1979, Act 66, Eff. Aug. 1, 1979.

### **257.707e Test instrumentation and procedures; rules; local vehicle noise rules.**

Sec. 707e. (1) Test instrumentation and procedures used for implementation and enforcement of sections 707a to 707d shall substantially conform with applicable standards and recommended practices established by the society of automotive engineers, inc., and the American national standards institute, inc., for the

measurement of motor vehicle sound levels. Rules establishing these test procedures shall be promulgated by the department of state highways and transportation. The rules may provide for measurement at other than the distance specified in section 707c, provided that the decibel limits applied at the other distances are adjusted accordingly, to meet the standards in section 707c. The rules shall be promulgated pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws.

(2) This act occupies the whole field of vehicle noise regulation. A city, county, village, or township shall not adopt or enforce vehicle noise rules unless the rules are identical to the requirements of this act.

**History:** Add. 1978, Act 73, Imd. Eff. Mar. 21, 1978.

#### **257.707f Appropriation.**

Sec. 707f. Funds shall be appropriated annually from the motor vehicle highway fund to implement sections 707a to 707e.

**History:** Add. 1978, Act 73, Imd. Eff. Mar. 21, 1978.

#### **257.708 Mirrors.**

Sec. 708. A person shall not drive a motor vehicle on a highway which is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position, unless the vehicle is equipped with a mirror located so as to reflect to the driver a view of the highway to the rear of the vehicle. In addition all motor vehicles shall be equipped with an outside rearview mirror on the driver's side which shall be positioned to give the driver a rearviewing angle from the driver's side of the vehicle, except a motor vehicle licensed as an historic vehicle if the vehicle was not originally equipped with an outside rearview mirror. Rearview mirrors may be positioned on the helmet or visor worn by the operator of a motorcycle if the helmet is securely attached to the head of the operator. Every commercial vehicle of 1/2 ton capacity or more, operating upon the public highways of this state, shall be equipped with 2 mirrors, 1 on each side, adjusted so that the operator shall have a clear view of the highway behind the commercial vehicle. The outside mirrors shall not be considered to be a part of the vehicle for the purpose of determining the maximum width under section 717.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1967, Act 90, Eff. Jan. 1, 1968;—Am. 1970, Act 94, Imd. Eff. July 20, 1970;—Am. 1978, Act 55, Imd. Eff. Mar. 10, 1978.

#### **257.708a Windshields; goggles, eyeglasses, or face shields.**

Sec. 708a. A motor vehicle shall not be operated on the public highways of this state unless it is equipped with a windshield of sufficient dimensions to protect the driver and occupants from insects, other airborne objects, and highway surface water and debris, when the motor vehicle is moving forward. A farm tractor, other implement of husbandry, and historic vehicles as defined in section 803a are exempt from this section. When a motorcycle operated on the public highways of this state in excess of 35 miles per hour is not equipped with a windshield, the operator shall wear goggles with transparent lenses or a transparent face shield or eyeglasses, which goggles, eyeglasses, or face shield shall be of shatter resistant material and of sufficient size to protect his eyes against insects, other airborne material, and highway surface water and debris.

**History:** Add. 1968, Act 142, Eff. Sept. 1, 1968;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977.

#### **257.708b Operating motor vehicle with television or similar electronic device viewable by operator prohibited; exceptions; location of permitted visual device; special permit for research vehicle; violation as civil infraction.**

Sec. 708b. (1) A person shall not operate a motor vehicle that is to be used upon the highways of this state with a television or other similar electronic device that displays a video image that can be viewed by the operator while the motor vehicle is in motion.

(2) This section does not apply to:

(a) An audio entertainment system, heating or air-conditioning controls, or other accessory controls in the motor vehicle.

(b) A vehicle information or navigation system for use in displaying only information pertaining to vehicle location, available routes and destinations, road layouts, weather conditions, traffic and road conditions, vehicle conditions, or traveler services.

(c) A research vehicle if the test plan for the vehicle has been approved by a process meeting federal guidelines established in 45 CFR part 46 for the protection of human beings and the vehicle has been issued a special registration permit by the secretary of state.

(d) A motor vehicle equipped with a video display to enhance or supplement the driver's view.



(e) A police vehicle, fire vehicle, or ambulance equipped with a monitor for use with a computer-aided dispatch system or emergency equipment controls.

(f) A police vehicle equipped with a monitor for use with recording equipment.

(g) A motor vehicle equipped with a video display to communicate vehicle, driver, or safety conditions.

(3) Except as otherwise provided in this subsection, a visual device permitted under subsection (2)(a) or (b) shall be built into the dashboard, center console, instrument panel, rearview mirror, or other control area of the vehicle and shall meet all applicable federal motor vehicle dash safety standards. An aftermarket visual device described in subsection (2)(a) or (b) may be installed or mounted on the windshield or above the dashboard, but shall not be mounted within the deployment profile of the vehicle airbags or in a manner that interferes with the operator's view or control. This subsection does not apply to a research vehicle described in subsection (2)(c).

(4) Upon receipt of a completed application, on a form prescribed by the secretary of state, and payment of a fee of \$10.00, the secretary of state may issue a special permit authorizing a research vehicle to use the highways of this state. A copy of the authority received by the applicant under subsection (2)(c) shall be submitted as part of the application for the special permit. The special permit may be in a form as prescribed by, and shall be displayed on a research vehicle in a manner determined by, the secretary of state. The special permit shall expire upon completion of or expiration of the specific test plan approved under subsection (2)(c), whichever occurs first, and shall be immediately removed from the research vehicle and destroyed. A special permit shall not be transferred to another vehicle or person. The fee collected under this subsection shall be credited to the Michigan transportation fund and used to defray the expenses of the secretary of state in administering the special permit program. In addition to a special permit, the appropriate vehicle registration plate shall be displayed on a research vehicle to use a highway of this state.

(5) A person who violates this section is responsible for a civil infraction.

**History:** Add. 1991, Act 55, Imd. Eff. June 27, 1991;—Am. 2004, Act 362, Imd. Eff. Oct. 4, 2004;—Am. 2008, Act 19, Imd. Eff. Mar. 7, 2008.

## **257.709 Windshields and windows; prohibitions; rearview mirrors; exceptions; windshield wipers; exemption; hot air windshield defroster or electrically heated windshield or other device; windshield device; definitions.**

Sec. 709. (1) A person shall not operate a motor vehicle with any of the following:

(a) A sign, poster, nontransparent material, window application, reflective film, or nonreflective film upon or in the front windshield, the side windows immediately adjacent to the driver or front passenger, or the sidewings adjacent to and forward of the driver or front passenger, except that a tinted film may be used along the top edge of the windshield and the side windows or sidewings immediately adjacent to the driver or front passenger if the material does not extend more than 4 inches from the top of the windshield, or lower than the shade band, whichever is closer to the top of the windshield.

(b) A rear window or side window to the rear of the driver composed of, covered by, or treated with a material that creates a total solar reflectance of 35% or more in the visible light range, including a silver or gold reflective film.

(c) An object that obstructs the vision of the driver of the vehicle, except as authorized by law.

(2) A person shall not drive a motor vehicle if driver visibility through the rear window is obstructed, unless the vehicle is equipped with 2 rearview mirrors, 1 on each side, adjusted so that the operator has a clear view of the highway behind the vehicle.

(3) This section does not apply to any of the following:

(a) The use of draperies, louvers, or other special window treatments, except those specifically designated in this section, on the rear window, or a side window to the rear of the driver if the vehicle is equipped with 2 outside rearview mirrors, 1 on each side, adjusted so that the driver has a clear view of the highway behind the vehicle.

(b) The use of a nonreflective, smoked or tinted glass, nonreflective film, perforated window screen, or other decorative window application on the rear window or a side window to the rear of the driver.

(c) The placement of a necessary certificate or sticker that does not obstruct the driver's clear view of the roadway or an intersecting roadway.

(d) A vehicle registered in another state, territory, commonwealth of the United States, or another country or province.

(e) A special window treatment or application determined necessary by a physician or optometrist, for the protection of a person who is light sensitive or photosensitive, if the owner or operator of a motor vehicle has in possession a letter signed by a physician or optometrist, indicating that the special window treatment or application is a medical necessity. However, the special window treatment or application shall not interfere

with or obstruct the driver's clear vision of the highway or an intersecting highway.

(4) Except as provided in subsection (5), the windshield on each motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle. A vehicle licensed as an historical vehicle is exempt from this subsection if the vehicle was not originally equipped with such a device. Each windshield wiper upon a motor vehicle shall be maintained in good working order.

(5) A truck with a gross weight over 10,000 pounds, a truck tractor, a bus, or a truck regardless of weight carrying hazardous materials on which a placard is required to be posted pursuant to 49 CFR parts 100 to 199 having a windshield shall be equipped with not less than 2 automatically operating windshield wiper blades, 1 on each side of the centerline of the windshield, for cleaning rain, snow, or other moisture from the windshield. The blades shall be in such condition as to provide clear vision for the driver, unless 1 blade is so arranged as to clean an area of the windshield extending to within 1 inch of the limit of vision through the windshield at each side. However, in driveaway-towaway operations, this subsection applies only to the operated vehicle. In addition, 1 windshield wiper blade suffices under this subsection when the driven vehicle in a driveaway-towaway operation constitutes part or all of the property being transported and has no provision for 2 blades. A truck and truck tractor, manufactured after June 30, 1953, that depends upon vacuum to operate the windshield wipers, shall be so constructed that the operation of the wipers is not materially impaired by change in the intake manifold pressure.

(6) A truck with a gross weight over 10,000 pounds, a truck tractor, a bus, or a truck regardless of weight carrying hazardous materials on which a placard is required to be posted under 49 CFR parts 100 to 199 shall not be operated on the highways at any time unless it is equipped with a hot air windshield defroster or an electrically heated windshield or other device to heat and maintain the windshield in operable condition at all times.

(7) As used in this section:

(a) "Physician" means that term as defined in section 17001 or 17501 of the public health code, 1978 PA 368, MCL 333.17001 and 333.17501.

(b) "Optometrist" means that term as defined in section 17401 of the public health code, 1978 PA 368, MCL 333.17401.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1951, Act 142, Eff. Sept. 28, 1951;—Am. 1954, Act 167, Eff. Aug. 13, 1954;—Am. 1955, Act 174, Eff. Oct. 14, 1955;—Am. 1958, Act 23, Eff. Sept. 13, 1958;—Am. 1978, Act 55, Imd. Eff. Mar. 10, 1978;—Am. 1980, Act 220, Eff. Mar. 31, 1981;—Am. 1988, Act 383, Eff. Apr. 1, 1989;—Am. 1988, Act 470, Eff. Apr. 1, 1989;—Am. 2000, Act 127, Imd. Eff. May 30, 2000;—Am. 2010, Act 258, Imd. Eff. Dec. 14, 2010.

### **257.710 Tires; studs or other traction devices; rules; exceptions; use or sale of unsafe tires prohibited.**

Sec. 710. (a) A person shall not operate on a public highway of this state a vehicle or special mobile equipment which has metal or plastic track or a tire which is equipped with metal that comes in contact with the surface of the road or which has a partial contact of metal or plastic with the surface of the road, except as provided in subsections (c), (d), and (e).

(b) A person shall not operate on a highway a vehicle which has a tire that has on its periphery a block, stud, flange, cleat, spike, or other protuberance of a material other than rubber which projects beyond the tread of the traction surface of the tire, except as provided in subsections (c), (d), and (e). A person may, however, use farm machinery with a tire having a protuberance which will not injure a highway. A person may also use a tire chain of reasonable proportion upon a vehicle when required for safety because of snow, ice, or other condition tending to cause a vehicle to skid.

(c) A person may operate on a highway a vehicle which has a pneumatic tire in which wire of .075 inches in diameter or less is embedded if the tire is constructed so that the percent of metal in contact with the highway does not exceed 5% of the total tire area in contact with the roadway, except that during the first 1,000 miles of use or operation of the tire the metal in contact with the highway shall not exceed 20% of the area.

(d) The department of state highways and transportation shall promulgate rules establishing acceptable standards to permit the use of a tire with studs or other traction devices to be used on a street or highway after April 1, 1975. The rules shall make separate provision for the extreme winter snow and ice conditions of the Upper Peninsula and the northern Lower Peninsula. The rules shall include a restriction on the amount and dimension of protrusions that may be allowed on a tire, the type of material that may be used in a stud, traction device, or tire, and the amount of road wear that a tire with studs or other traction devices may cause on a street or highway.

(e) A person may operate on a highway a vehicle which has a pneumatic tire in which are inserted ice grips

or tire studs if the person is a law enforcement officer operating a vehicle owned by a law enforcement agency, a person operating an ambulance, or a United States postal service rural carrier driving a vehicle the rural carrier owns and maintains as a prerequisite to employment in the postal service.

(f) A person shall not operate a vehicle on a highway when a tire in use on that vehicle is unsafe as provided in subsection (h).

(g) A person in the business of selling tires shall not sell or offer for sale for highway use a tire which is unsafe as provided in subsection (h).

(h) A tire is unsafe if it is in any of the following conditions:

(i) Has a part of the belting material, tire cords, or plies exposed.

(ii) Has evidence of cord or tread separations.

(iii) Is worn to or below the minimum tread level in 2 or more adjacent major grooves at 3 or more locations spaced around the circumference of the tire. Minimum allowable tread levels are as follows:

motorcycles and moped..... 1/32 inch front and rear

passenger cars and vehicles

weighing less than 10,000

pounds.....

2/32 inch front and rear

vehicles weighing 10,000 pounds

or more.....

4/32 inch front and 2/32 rear

Measurements shall not be made at locations of tread wear indicators or tie bars. A motor vehicle licensed as an historic vehicle under section 803a is exempt from the tread depth requirements of this subsection.

(iv) Has a marking "not for highway use", "for racing purposes only", "for farm use only", or "unsafe for highway use".

(v) Has been regrooved or recut below the original tread design depth except in the case of special purpose designed tires having extra undertread rubber provided for this purpose and identified as those tires.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1962, Act 41, Eff. Mar. 28, 1963;—Am. 1966, Act 237, Eff. Mar. 10, 1967;—Am. 1967, Act 127, Imd. Eff. June 27, 1967;—Am. 1973, Act 138, Eff. Mar. 29, 1974;—Am. 1977, Act 119, Imd. Eff. Oct. 19, 1977.

**Compiler's note:** In subdivision (h)(i), the word "plies" evidently should read "plies."

**Administrative rules:** R 247.171 et seq. of the Michigan Administrative Code.

### **257.710a Safety belts and restraining devices; standards, rules and regulations.**

Sec. 710a. No person shall sell, offer or keep for sale, or install for use in any motor vehicle to be operated on the highways of this state, any safety belt, safety restraining device, or attachments thereto as referred to in this section, unless of a type conforming to standards and specifications established by rules and regulations which have been established by the commissioner of the Michigan state police.

The rules and regulations established pursuant to the authorization given in this section shall be promulgated in accordance with the provisions of Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.82, inclusive, of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110, inclusive, of the Compiled Laws of 1948.

**History:** Add. 1955, 1st Ex. Sess., Act 2, Eff. Feb. 3, 1956.

**Popular name:** Seat Belt Law

**Administrative rules:** R 28.901 et seq. of the Michigan Administrative Code.

### **257.710b Safety belts; bolts and brackets.**

Sec. 710b. A private passenger vehicle manufactured after January 1, 1965 shall not be offered for sale in this state unless the vehicle is equipped with safety belts for the use of the driver and 1 other front seat passenger. All safety belts and bolts and brackets used in the installation of the safety belts shall meet the minimum specifications of the society of automotive engineers as prescribed on April 1, 1963. This section shall not apply to trucks, buses, hearses, motorcycles, or mopeds.

**History:** Add. 1961, Act 163, Eff. Sept. 8, 1961;—Am. 1963, Act 212, Eff. Sept. 6, 1963;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977.

Popular name: Seat Belt Law

**257.710c Bumpers; height limitations; lift blocks; prohibited modifications; construction of section; applicability; definitions.**

Sec. 710c. (1) A person shall not operate a motor vehicle on a public highway or street of this state unless the vehicle is equipped with a bumper or other energy absorption system with an analogous function which bumper or system is securely bolted or permanently attached on both the front and rear of the vehicle. The bumper or energy absorption system shall be maintained in good operational condition, except as provided in subsection (5). Notwithstanding subsection (6), a person shall not drive a vehicle having a raised or lifted body height unless the vehicle is equipped with bumpers that comply with this subsection and subsection (2).

(2) A person shall not operate a motor vehicle of a type defined in subsection (8) that exceeds either of the following limits:

<u>Vehicle Type</u>	<u>Frame Height</u>	<u>Bumper Height</u>
Passenger vehicle.....	12 inches	22 inches
Other motor vehicle:		
Less than 4,501 pounds GVWR....	24 inches	26 inches
4,501 to 7,500 pounds GVWR.....	24 inches	28 inches
7,501 to 10,000 pounds GVWR....	26 inches	30 inches

(3) If the GVWR cannot be determined on a motor vehicle other than a passenger vehicle, the limitations for a motor vehicle having less than 4,501 pounds GVWR shall apply.

(4) Notwithstanding subsection (2), a person shall not operate a motor vehicle having lift blocks between the front axle and springs, or with lift blocks that exceed 4 inches in height between the rear axle and springs in addition to those provided by the original manufacturer. Any body lift block shall be of single piece construction and shall not use more than a 3-inch spacer. Any suspension lift block shall use an alignment pin between the axle and the spring, and shall be of single piece construction. Spring shackle replacements shall not exceed the original equipment manufacture length by more than 2 inches, and coil spring spacers are prohibited. All steering components shall be geometrically arranged to function as original equipment manufacture. Welded pitman arms, drag links, and tie rods are prohibited. All parts used to modify the original suspension or height of a motor vehicle shall be factory manufactured and shall meet or exceed the original manufacturer's specifications.

(5) A person shall not modify a vehicle to be in violation of this section, alter or add to an original frame resulting in an increase in height of the vehicle, or cause the vehicle body or chassis to come in contact with the ground, expose the fuel tank to damage from collision, or cause the wheels to come in contact with the body. No part of the suspension on a vehicle shall extend below the lowest portion of a wheel rim on the vehicle. A part of the original suspension system shall not be disconnected or modified to defeat the safe operation of the suspension system. This section does not prohibit the installation of heavy duty equipment including bumpers, shock absorbers, and overload springs within the limitations of this section, or the removal of a bumper when necessary to install a snowplow, lift ramp, or similar device while the device is in place and operational.

(6) This section shall not be construed to establish standards stricter than those formulated by the United States department of transportation for bumpers on a passenger motor vehicle sold within the United States.

(7) This section does not apply to a vehicle having a manufacturer's design which intrinsically precludes conformance with this section, a vehicle with a GVWR of 10,001 pounds or more, a vehicle designed to carry 16 or more passengers including the driver, implements of husbandry, or a road tractor, truck or truck tractor owned by a wood harvester or contractor and used exclusively in connection with wood harvesting and logging operations, or a vehicle which has an unaltered bumper or suspension system as supplied by the manufacturer. The operator of a vehicle cited for a violation of this section may assert as an affirmative defense that the vehicle in question, at the time of the violation, met original manufacturer's specifications for equipment which affected its bumper or frame height. The operator shall establish by a preponderance of this evidence the affirmative defense asserted pursuant to this subsection.

(8) As used in this section:

(a) "Bumper height" means the vertical distance between the ground and the highest point of the bottom of the bumper, as measured to a level surface when the vehicle is unladen with the vehicle tires inflated to the manufacturer's recommended pressure. If the bottom of the bumper cannot be determined due to vehicle design, the measurement shall be made from the lowest point on the rearmost portion of the rear horizontal bumper bar, or the vertical distance between the lowest point on the forwardmost portion of the front horizontal bumper bar, as measured to a level surface when the vehicle is unladen with the vehicle tires inflated to the manufacturer's recommended pressure.

(b) "Frame" means the main longitudinal structural members of the chassis of the vehicle as equipped from the factory or, for a vehicle with unitized body construction, the lowest main longitudinal structural members of the body of the vehicle.

(c) "Frame height" means the vertical distance between the ground and the lowest point on the frame, measured when the vehicle is unladen on a level surface at the lowest point on the frame midway between the front axle and the second axle on the vehicle with the vehicle tires inflated to the manufacturer's recommended pressure.

(d) "GVWR" means the original manufacturer's gross vehicle weight rating as defined in section 18b.

(e) "Multipurpose passenger motor vehicle" means a motor vehicle, other than a truck or passenger vehicle, designed to carry 10 passengers or less and constructed either on a truck chassis or with special features for occasional off-road operation.

(f) "Other motor vehicle" means any truck, multipurpose passenger motor vehicle, or other motor vehicle having a GVWR of 10,000 pounds or less, not including a passenger vehicle or motorcycle.

(g) "Passenger vehicle" means a motor vehicle with motive power designed to carry 10 passengers or less, or a van having a GVWR of 5,000 pounds or less, but not including a multipurpose passenger motor vehicle, motorcycle, or truck.

**History:** Add. 1978, Act 225, Eff. Mar. 30, 1979;—Am. 1987, Act 19, Eff. Jan. 1, 1991;—Am. 1991, Act 129, Eff. Mar. 30, 1992.

\*\*\*\*\* 257.710d THIS SECTION IS AMENDED EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE: See 257.710d.amended \*\*\*\*\*

**257.710d Child restraint system required; position; exceptions; violation as civil infraction; points; abstract; exemption by rules; alternate means of protection.**

Sec. 710d. (1) Except as provided in this section, or as otherwise provided by law, a rule promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, or federal regulation, each driver transporting a child less than 4 years of age in a motor vehicle shall properly secure that child in a child restraint system that meets the standards prescribed in 49 CFR 571.213.

(2) A driver transporting a child as required under subsection (1) shall position the child in the child restraint system in a rear seat, if the vehicle is equipped with a rear seat. If all available rear seats are occupied by children less than 4 years of age, then a child less than 4 years of age may be positioned in the child restraint system in the front seat. A child in a rear-facing child restraint system may be placed in the front seat only if the front passenger air bag is deactivated.

(3) This section does not apply if the motor vehicle being driven is a bus, school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts under federal law or regulations.

(4) A person who violates this section is responsible for a civil infraction.

(5) Points shall not be assessed under section 320a for a violation of this section. An abstract required under section 732 shall not be submitted to the secretary of state regarding a violation of this section.

(6) The secretary of state may exempt by rules promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, a class of children from the requirements of this section, if the secretary of state determines that the use of the child restraint system required under subsection (1) is impractical because of physical unfitness, a medical problem, or body size. The secretary of state may specify alternate means of protection for children exempted under this subsection.

**History:** Add. 1981, Act 117, Eff. Mar. 31, 1982;—Am. 1990, Act 90, Eff. Mar. 28, 1991;—Am. 1999, Act 29, Eff. Mar. 10, 2000;—Am. 2009, Act 57, Imd. Eff. June 26, 2009.

**Compiler's note:** Enacting section 1 of 1999 PA 29, which amended this section, provides:

"Enacting section 1. It is the intent of the legislature that the cost savings realized by insurance companies because of the changes made by this amendatory act shall be passed on to insurance policy holders."

**Popular name:** Seat Belt Law

\*\*\*\*\* 257.710d.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE \*\*\*\*\*

**257.710d.amended Child restraint system required; position; exceptions; violation as civil infraction; points; abstract; exemption by rules; alternate means of protection.**

Sec. 710d. (1) Except as provided in this section, or as otherwise provided by law, a rule promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, or federal regulation, each driver transporting a child in a motor vehicle shall properly secure that child in a child restraint system



that meets the standards prescribed in 49 CFR 571.213.

(2) A driver transporting a child as required under subsection (1) shall position the child in the child restraint system in a rear seat, if the vehicle is equipped with a rear seat. If all available rear seats are occupied by children, then a child may be positioned in the child restraint system in the front seat. A child in a rear-facing child restraint system may be placed in the front seat only if the front passenger air bag is deactivated. In addition, a child must be seated and positioned in a child restraint system as follows:

(a) A child must be restrained in a rear-facing child restraint system until the child meets either of the following conditions:

(i) The child has reached the weight or height limit of the rear-facing child restraint system set by the manufacturer.

(ii) The child is 2 years of age or older.

(b) A child who meets either of the conditions in subdivision (a)(i) or (ii) must be restrained in a forward-facing child restraint system with an internal harness until the child meets either of the following conditions:

(i) The child has reached the weight or height limit of the forward-facing child restraint system set by the manufacturer.

(ii) The child is 5 years of age or older.

(c) A child who meets either of the conditions in subdivision (b)(i) or (ii) must be restrained in a belt-positioning child booster seat secured with a lap-shoulder safety belt until the child meets either of the following conditions:

(i) The child has reached the height of 4 feet 9 inches.

(ii) The child is 8 years of age or older.

(3) If a child is secured in a child restraint system under subsection (2)(a) to (c), the child must be secured in a child restraint system that is appropriate for the child's weight and height and configured according to the child restraint system manufacturer's and vehicle manufacturer's instructions and the standards prescribed in 49 CFR 571.213.

(4) Except as otherwise provided in this subsection, a child who meets either of the conditions in subsection (2)(c)(i) or (ii) but is less than 13 years of age must be restrained with a properly adjusted and fastened safety belt that meets the standards prescribed in 49 CFR 571.209. In addition, the child must be positioned in a rear seat, if the vehicle is equipped with a rear seat. If all available rear seats are occupied by children, then the child may be positioned with a properly adjusted and fastened safety belt in the front seat. A child described in this subsection may be restrained in a belt-positioning child booster seat under subsection (2)(c) until the child has reached the weight or height limit of the child booster seat set by the manufacturer. To maximize safety, the legislature recommends that a child be secured in a child restraint system for as long as the child is within the weight and height limits described in subsection (2)(a)(i), (b)(i), or (c)(i).

(5) A child who is 13 years of age or older but less than 16 years of age must be secured as required in section 710e.

(6) This section does not apply if the motor vehicle being driven is a bus, school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts under federal law or regulations.

(7) A person who violates this section is responsible for a civil infraction.

(8) Points must not be assessed under section 320a for a violation of this section. An abstract required under section 732 must not be submitted to the secretary of state regarding a violation of this section.

(9) The secretary of state may exempt by rules promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, a class of children from the requirements of this section, if the secretary of state determines that the use of the child restraint system required under subsection (1) is impractical because of physical unfitness, a medical problem, or body size. The secretary of state may specify alternate means of protection for children exempted under this subsection.

**History:** Add. 1981, Act 117, Eff. Mar. 31, 1982;—Am. 1990, Act 90, Eff. Mar. 28, 1991;—Am. 1999, Act 29, Eff. Mar. 10, 2000;—Am. 2009, Act 57, Imd. Eff. June 26, 2009;—Am. 2024, Act 21, Eff. (sine die).

**Compiler's note:** Enacting section 1 of 1999 PA 29, which amended this section, provides:

"Enacting section 1. It is the intent of the legislature that the cost savings realized by insurance companies because of the changes made by this amendatory act shall be passed on to insurance policy holders."

**Popular name:** Seat Belt Law

\*\*\*\*\* 257.710e THIS SECTION IS AMENDED EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE: See 257.710e.amended \*\*\*\*\*

**257.710e Safety belt required; driver or passenger to which section inapplicable; transporting child 4 years of age but less than 16 years of age; use of lap belt for purpose of road construction or maintenance; enforcement of section; violation as evidence of negligence; reduction of recovery for damages; violation as civil infraction; reports of police harassment; effect of primary enforcement; report of findings; intent; assessment of points prohibited.**

Sec. 710e. (1) This section does not apply to an operator or passenger of any of the following:

- (a) A motor vehicle manufactured before January 1, 1965.
  - (b) A bus.
  - (c) A motorcycle.
  - (d) A moped.
  - (e) A motor vehicle if the operator or passenger possesses a written verification from a physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons.
  - (f) A motor vehicle that is not required to be equipped with safety belts under federal law.
  - (g) A commercial or United States Postal Service vehicle that makes frequent stops for the purpose of pickup or delivery of goods or services.
  - (h) A motor vehicle operated by a rural carrier of the United States Postal Service while serving his or her rural postal route.
- (2) This section does not apply to a passenger of a school bus.
  - (3) Each operator and front seat passenger of a motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened safety belt except as follows:
    - (a) A child who is less than 4 years of age shall be protected as required in section 710d.
    - (b) A child who is 4 years of age or older but less than 8 years of age and who is less than 4 feet 9 inches in height shall be properly secured in a child restraint system in accordance with the child restraint manufacturer's and vehicle manufacturer's instructions and the standards prescribed in 49 CFR 571.213.
  - (4) If there are more passengers than safety belts available for use, and all safety belts in the motor vehicle are being utilized in compliance with this section, the operator of the motor vehicle is in compliance with this section.
  - (5) Except as otherwise provided in subsection (3)(b), each operator of a motor vehicle transporting a child 4 years of age or older but less than 16 years of age in a motor vehicle shall secure the child in a properly adjusted and fastened safety belt and seated as required under this section. If the motor vehicle is transporting more children than there are safety belts available for use, all safety belts available in the motor vehicle are being utilized in compliance with this section, and the operator and all front seat passengers comply with subsection (3), the operator of a motor vehicle transporting a child 8 years of age or older but less than 16 years of age for which there is not an available safety belt is in compliance with this subsection if that child is seated in other than the front seat of the motor vehicle. However, if that motor vehicle is a pickup truck without an extended cab or jump seats, and all safety belts in the front seat are being used, the operator may transport the child in the front seat without a safety belt.
  - (6) The operator of a motor vehicle shall wear a lap belt, but is not required to wear a shoulder harness, if the operator is operating the vehicle for the purpose of performing road construction or maintenance in a work zone.
  - (7) If after December 31, 2005 the office of highway safety planning certifies that there has been less than 80% compliance with the safety belt requirements of this section during the preceding year, enforcement of this section by state or local law enforcement agencies shall be accomplished only as a secondary action when an operator of a motor vehicle has been detained for a suspected violation of another section of this act.
  - (8) Failure to wear a safety belt in violation of this section may be considered evidence of negligence and may reduce the recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle. However, that negligence shall not reduce the recovery for damages by more than 5%.
  - (9) A person who violates this section is responsible for a civil infraction.
  - (10) A law enforcement agency shall conduct an investigation for all reports of police harassment that result from the enforcement of this section.
  - (11) The secretary of state shall engage an independent organization to conduct a 3-year study to determine the effect that the primary enforcement of this section has on the number of incidents of police harassment of motor vehicle operators. The organization that conducts the study shall submit a report to the legislature not later than June 30, 2001 and an annual report not later than June 30 each year thereafter.
  - (12) The secretary of state shall promote compliance with the safety belt requirements of this section at the branch offices and through any print or visual media determined appropriate by the secretary of state.

(13) It is the intent of the legislature that the enforcement of this section be conducted in a manner calculated to save lives and not in a manner that results in the harassment of the citizens of this state.

(14) Points shall not be assessed under section 320a for a violation of this section.

**History:** Add. 1985, Act 1, Eff. July 1, 1985;—Am. 1989, Act 3, Imd. Eff. Apr. 6, 1989;—Am. 1990, Act 90, Eff. Mar. 28, 1991;—Am. 1991, Act 25, Imd. Eff. May 20, 1991;—Am. 1999, Act 29, Eff. Mar. 10, 2000;—Am. 2008, Act 43, Eff. July 1, 2008;—Am. 2016, Act 460, Eff. Apr. 5, 2017.

**Compiler's note:** Enacting section 1 of 1999 PA 29, which amended this section, provides:

“Enacting section 1. It is the intent of the legislature that the cost savings realized by insurance companies because of the changes made by this amendatory act shall be passed on to insurance policy holders.”

**Popular name:** Seat Belt Law

\*\*\*\*\* 257.710e.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE \*\*\*\*\*

**257.710e.amended Safety belt required; driver or passenger to which section inapplicable; transporting child 13 years of age but less than 16 years of age; use of lap belt for purpose of road construction or maintenance; enforcement of section; violation as evidence of negligence; reduction of recovery for damages; violation as civil infraction; reports of inappropriate enforcement; intent; assessment of points prohibited.**

Sec. 710e. (1) This section does not apply to an operator or passenger of any of the following:

- (a) A motor vehicle manufactured before January 1, 1965.
- (b) A bus.
- (c) A motorcycle.
- (d) A moped.

(e) A motor vehicle, if the operator or passenger possesses a written verification from a physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons.

(f) A motor vehicle that is not required to be equipped with safety belts under federal law.

(g) A commercial or United States Postal Service vehicle that makes frequent stops for the purpose of pickup or delivery of goods or services.

(h) A motor vehicle operated by a rural carrier of the United States Postal Service while serving the carrier's rural postal route.

(2) This section does not apply to a passenger of a school bus.

(3) Each operator and front seat passenger of a motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened safety belt, except that a child who is less than 13 years of age must be protected as required in section 710d.

(4) If there are more passengers than safety belts available for use, and all safety belts in the motor vehicle are being utilized in compliance with this section, the operator of the motor vehicle is in compliance with this section.

(5) Except as otherwise provided in section 710d, each operator of a motor vehicle transporting a child 13 years of age or older but less than 16 years of age in a motor vehicle shall secure the child in a properly adjusted and fastened safety belt and seated as required under this section. If the motor vehicle is transporting more children than there are safety belts available for use, all safety belts available in the motor vehicle are being utilized in compliance with this section, and the operator and all front seat passengers comply with subsection (3), the operator of a motor vehicle transporting a child 13 years of age or older but less than 16 years of age for which there is not an available safety belt is in compliance with this subsection if that child is seated in other than the front seat of the motor vehicle. However, if that motor vehicle is a pickup truck without an extended cab or jump seats, and all safety belts in the front seat are being used, the operator may transport the child in the front seat without a safety belt.

(6) The operator of a motor vehicle shall wear a lap belt, but is not required to wear a shoulder harness, if the operator is operating the vehicle for the purpose of performing road construction or maintenance in a work zone.

(7) If the office of highway safety planning certifies that there has been less than 80% compliance with the safety belt requirements of this section during the preceding year, enforcement of this section by state or local law enforcement agencies must be accomplished only as a secondary action when an operator of a motor vehicle has been detained for a suspected violation of another section of this act.

(8) Failure to wear a safety belt in violation of this section may be considered evidence of negligence and may reduce the recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle. However, that negligence must not reduce the recovery for damages by more than 5%.

(9) A person who violates this section is responsible for a civil infraction.

(10) A law enforcement agency shall conduct an investigation for all reports of inappropriate enforcement that result from the enforcement of this section.

(11) The secretary of state shall promote compliance with the safety belt requirements of this section at the branch offices and through any print or visual media determined appropriate by the secretary of state.

(12) It is the intent of the legislature that the enforcement of this section be conducted in a manner calculated to save lives and not in a manner that results in the inappropriate enforcement of this section against the citizens of this state.

(13) Points must not be assessed under section 320a for a violation of this section.

**History:** Add. 1985, Act 1, Eff. July 1, 1985;—Am. 1989, Act 3, Imd. Eff. Apr. 6, 1989;—Am. 1990, Act 90, Eff. Mar. 28, 1991;—Am. 1991, Act 25, Imd. Eff. May 20, 1991;—Am. 1999, Act 29, Eff. Mar. 10, 2000;—Am. 2008, Act 43, Eff. July 1, 2008;—Am. 2016, Act 460, Eff. Apr. 5, 2017;—Am. 2024, Act 21, Eff. (sine die).

**Compiler's note:** Enacting section 1 of 1999 PA 29, which amended this section, provides:

“Enacting section 1. It is the intent of the legislature that the cost savings realized by insurance companies because of the changes made by this amendatory act shall be passed on to insurance policy holders.”

**Popular name:** Seat Belt Law

### **257.710f Adoption of program to encourage compliance.**

Sec. 710f. The secretary of state shall adopt a program to encourage compliance with the safety belt usage requirement, which shall inform all applicants for an operator license that safety belts are beneficial and that failure to use them properly is unlawful.

**History:** Add. 1985, Act 1, Eff. July 1, 1985.

**Popular name:** Seat Belt Law

### **257.710g Child car seat safety grant program; establishment.**

Sec. 710g. The department of community health shall establish a child car seat safety grant program for the purpose of providing grants for training, promotion, and education concerning the child restraint system use requirements under sections 710d and 710e. The child car seat safety grant program shall provide grants to persons that the department of community health considers eligible.

**History:** Add. 2000, Act 282, Imd. Eff. July 10, 2000;—Am. 2000, Act 439, Imd. Eff. Jan. 9, 2001.

### **257.711 Safety glass required; safety plastic on buses; “safety glass” defined; penalties.**

Sec. 711. (1) A person shall not sell a new motor vehicle nor shall a new motor vehicle be registered thereafter which is designed or used for the purpose of transporting passengers for compensation unless that vehicle is equipped with safety glass wherever glass is used in doors, windows, and windshields. Rigid safety plastic which meets the test requirements of American national standards institute standard Z26.1-1966, as supplemented and amended, may be used on buses in lieu of safety glass, except that front windshields shall be equipped with safety glass.

(2) A person shall not sell a new motor vehicle nor shall a new motor vehicle be registered thereafter unless that vehicle is equipped with safety glass wherever glass is used in the windshield, doors, and windows; nor shall any glass be replaced in the windshield, doors, and windows of a motor vehicle unless the glass is safety glass as herein defined.

(3) The term "safety glass" shall mean a product composed of glass, so manufactured, fabricated, or treated as substantially to prevent shattering and flying of the glass when struck or broken.

(4) In addition to the penalties imposed by this act, the permit issued by the Michigan public service commission to a person engaged in the passenger carrying business shall be subject to revocation or suspension in the discretion of the Michigan public service commission.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1974, Act 64, Imd. Eff. Apr. 1, 1974;—Am. 1990, Act 188, Eff. Aug. 15, 1990.

### **257.711a Repealed. 1990, Act 188, Eff. Aug. 15, 1990.**

**Compiler's note:** The repealed section pertained to school bus gasoline tanks.

### **257.712, 257.713 Repealed. 2002, Act 282, Imd. Eff. May 9, 2002.**

**Compiler's note:** The repealed sections pertained to flares, flags, reflector units, and flashing signals on stopped vehicles.

### **257.714 Repealed. 1980, Act 487, Imd. Eff. Jan. 21, 1981.**

**Compiler's note:** The repealed section pertained to vehicles transporting explosives as cargo.

### **257.714a, 257.714b Repealed. 2005, Act 179, Imd. Eff. Oct. 20, 2005.**

**Compiler's note:** The repealed sections pertained to preventing commercial vehicles from throwing road surface substances from rear wheel and to fuel systems for trucks over 10,000 pounds, truck tractors, road tractors, or buses.