

SUBSTITUTE FOR  
SENATE BILL NO. 265

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 698 (MCL 257.698), as amended by 1998 PA 247.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

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

7           (3) Backing lights of red, amber, or white may be mounted on  
8 the rear of a motor vehicle if the switch controlling the light is

1 so arranged that the light may be turned on only if the vehicle is  
2 in reverse gear. The backing lights when unlighted shall be covered  
3 or otherwise arranged so as not to reflect objectionable glare in  
4 the eyes of a driver of a vehicle approaching from the rear.

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

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

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

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

25 (c) An authorized emergency vehicle as defined in section 2  
26 may be equipped with flashing, rotating, or oscillating red lights  
27 for use when responding to an emergency call if, when in use, the

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

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

12 (e) A vehicle used for the cleanup of spills or a necessary  
13 emergency response action taken pursuant to state or federal law,  
14 ~~or~~ a vehicle operated by an employee of the department of natural  
15 resources that responds to a spill, emergency response action,  
16 complaint, or compliance activity, **OR A MOTOR VEHICLE OWNED BY A**  
17 **VOLUNTEER MEMBER OF AN EMERGENCY MANAGEMENT UNIT OF A LOCAL**  
18 **GOVERNMENTAL ENTITY IF AUTHORIZED BY THE LOCAL GOVERNMENTAL ENTITY,**  
19 may be equipped with flashing, rotating, or oscillating amber  
20 lights. ~~Such~~ **THOSE** lights shall not be activated unless the vehicle  
21 is at the scene of a spill, emergency response action, complaint,  
22 or compliance activity.

23 (f) A vehicle to perform public utility service, a vehicle  
24 owned or leased by and licensed as a business for use in the  
25 collection and hauling of refuse, an automobile service car or  
26 wrecker, a vehicle engaged in authorized highway repair or  
27 maintenance, a vehicle of a peace officer, a vehicle operated by a

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

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

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

27 (i) A private motor vehicle of a physician responding to an

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

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

19 **(K) AN AUTHORIZED EMERGENCY VEHICLE MAY BE EQUIPPED WITH**  
20 **FLASHING, ROTATING, OR OSCILLATING GREEN LIGHTS, FOR USE ONLY WHEN**  
21 **THE AUTHORIZED EMERGENCY VEHICLE IS THE ON-SITE COMMAND VEHICLE AT**  
22 **THE SCENE OF AN EMERGENCY.**

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

1           (6) A person shall not sell, loan, or otherwise furnish a  
2 flashing, rotating, or oscillating blue or red light designed  
3 primarily for installation on an authorized emergency vehicle to a  
4 person except a police officer, sheriff, deputy sheriff, authorized  
5 physician, volunteer or paid fire fighter, volunteer ambulance  
6 driver, licensed ambulance driver or attendant of the state, a  
7 county or municipality within the state, a person engaged in the  
8 business of operating an ambulance or wrecker service, or a  
9 federally recognized nonprofit charitable organization which owns  
10 and operates an emergency support vehicle used exclusively for  
11 emergencies. This subsection does not prohibit an authorized  
12 vehicle, equipped with flashing, rotating, or oscillating blue or  
13 red lights, from being operated by a person other than a person  
14 described in this section if the person receives authorization to  
15 operate the emergency vehicle from a police officer, sheriff,  
16 deputy sheriff, authorized physician, volunteer or paid fire  
17 fighter, volunteer ambulance driver, licensed ambulance driver or  
18 attendant, a person operating an ambulance or wrecker service, or a  
19 federally recognized nonprofit charitable organization which owns  
20 and operates an emergency support vehicle used exclusively for  
21 emergencies, except that the authorization shall not permit the  
22 person to operate lights as described in subsection (5) (a), (b),  
23 (c), (i), or (j), or to exercise the privileges described in  
24 section 603. A person who operates an authorized emergency vehicle  
25 in violation of the terms of an authorization is guilty of a  
26 misdemeanor.

27           (7) A private motor vehicle of a security guard agency or

1 alarm company licensed pursuant to the private security ~~guard~~  
2 **BUSINESS AND SECURITY ALARM** act, ~~of 1968,~~ 1968 PA 330, MCL 338.1051  
3 to ~~338.1085~~ **338.1083**, may display flashing, rotating, or  
4 oscillating amber lights. The flashing, rotating, or oscillating  
5 amber lights shall not be activated on a public highway when a  
6 vehicle is in motion.

7 (8) This section shall not be construed to prohibit, restrict,  
8 or limit the use of lights authorized or required under sections  
9 697, 697a, and 698a.

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