



**HB4968, As Passed House, April 21, 1998**

House Bill No. 4968

2

1 (a) The Michigan vehicle code, ~~Act No. 300 of the Public~~  
2 ~~Acts of 1949, being sections 257.1 to 257.923 of the Michigan~~  
3 ~~Compiled Laws~~ 1949 PA 300, MCL 257.1 TO 257.923.

4 (b) ~~Act No. 235 of the Public Acts of 1969, being~~  
5 ~~sections 257.941 to 257.943 of the Michigan Compiled Laws~~ 1969  
6 PA 235, MCL 257.941 TO 257.943.

7 (c) ~~Act No. 62 of the Public Acts of 1956, being~~  
8 ~~sections 257.951 to 257.954 of the Michigan Compiled Laws~~ 1956  
9 PA 62, MCL 257.951 TO 257.954.

10 (3) The village council may adopt an ordinance that desig-  
11 nates a violation of the ordinance as a municipal civil infrac-  
12 tion and provides a civil fine for that violation. An ordinance  
13 ~~may~~ SHALL not designate a violation as a municipal civil  
14 infraction if that violation may be designated as a civil infrac-  
15 tion under subsection (2). A statute may provide that a viola-  
16 tion of a specific type of ordinance is a municipal civil infrac-  
17 tion whether or not the ordinance designates the violation as a  
18 municipal civil infraction.

19 (4) An ordinance shall not make an act or omission a munici-  
20 pal civil infraction if that act or omission constitutes a crime  
21 under any of the following:

22 (a) Article 7 or section 17766a of the public health code,  
23 ~~Act No. 368 of the Public Acts of 1978, being sections 333.7101~~  
24 ~~to 333.7545 and 333.17766a of the Michigan Compiled Laws~~ 1978  
25 PA 368, MCL 333.7101 TO 333.7545 AND 333.17766A.

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1 (b) The Michigan penal code, ~~Act No. 328 of the Public Acts~~  
2 ~~of 1931, being sections 750.1 to 750.568 of the Michigan Compiled~~  
3 ~~Laws~~ 1931 PA 328, MCL 750.1 TO 750.568.

4 (c) ~~Act No. 300 of the Public Acts of 1949, being sections~~  
5 ~~257.1 to 257.923 of the Michigan Compiled Laws.~~ THE MICHIGAN  
6 VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923.

7 (d) The Michigan liquor control act, ~~Act No. 8 of the~~  
8 ~~Public Acts of the Extra Session of 1933, being sections 436.1 to~~  
9 ~~436.58 of the Michigan Compiled Laws~~ 1933 (EX SESS) PA 8,  
10 MCL 436.1 TO 436.58.

11 (e) Part 801 ~~(marine safety)~~ of the natural resources and  
12 environmental protection act, ~~Act No. 451 of the Public Acts of~~  
13 ~~1994, being sections 324.80101 to 324.80199 of the Michigan~~  
14 ~~Compiled Laws~~ 1994 PA 451, MCL 324.80101 TO 324.80199.

15 (f) The aeronautics code of the state of Michigan, ~~Act~~  
16 ~~No. 327 of the Public Acts of 1945, being sections 259.1 to~~  
17 ~~259.208 of the Michigan Compiled Laws~~ 1945 PA 327, MCL 259.1 TO  
18 259.208.

19 (g) Part 821 ~~(snowmobiles)~~ of ~~Act No. 451 of the Public~~  
20 ~~Acts of 1994, being sections 324.82101 to 324.82159 of the~~  
21 ~~Michigan Compiled Laws~~ OF THE NATURAL RESOURCES AND ENVIRONMEN-  
22 TAL PROTECTION ACT, 1994 PA 451, MCL 324.82101 TO 324.82159.

23 (h) Part 811 ~~(off-road recreation vehicles)~~ of ~~Act No. 451~~  
24 ~~of the Public Acts of 1994, being sections 324.81101 to 324.81150~~  
25 ~~of the Michigan Compiled Laws~~ OF THE NATURAL RESOURCES AND ENVI-  
26 RONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.81101 TO  
27 324.81150.

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Sub. H.B. 4968 (H-1) as amended April 21, 1998

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1 (i) Sections 351 to 365 of the railroad code of 1993, ~~Act~~  
2 ~~No. 354 of the Public Acts of 1993, being sections 462.351 to~~  
3 ~~462.365 of the Michigan Compiled Laws~~ 1993 PA 354, MCL 462.351  
4 TO 462.365.

5 (j) Any law of this state under which the act or omission is  
6 punishable by imprisonment for more than 90 days.

7 (5) An ordinance not described in subsection (2) or (3) may  
8 provide that a ~~person who violates the ordinance is subject to~~  
9 ~~either, or both, of the following: (a) Punishment~~ VIOLATION OF  
10 THE ORDINANCE IS PUNISHABLE by imprisonment for not more than 90  
11 days or by a fine of not more than \$500.00, or both. HOWEVER,  
12 UNLESS OTHERWISE PROVIDED BY LAW, THE ORDINANCE MAY PROVIDE THAT  
13 A VIOLATION OF THE ORDINANCE IS PUNISHABLE BY IMPRISONMENT FOR  
14 NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR  
15 BOTH, IF THE VIOLATION SUBSTANTIALLY CORRESPONDS TO A VIOLATION  
16 OF STATE LAW THAT IS A MISDEMEANOR FOR WHICH THE MAXIMUM PERIOD  
17 OF IMPRISONMENT IS 93 DAYS.

18 ~~(b) Payment of court costs.~~

[Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

- (a) House Bill No. 4964.
- (b) House Bill No. 4965.
- (c) House Bill No. 4966.
- (d) House Bill No. 4967.
- (e) House Bill No. 5531.]