

# HOUSE BILL No. 4382

March 9, 1999, Introduced by Reps. Martinez, Brater, Schauer, Dennis, Baird, Bogardus, Jacobs and Minore and referred to the Committee on Transportation.

A bill to amend 1956 PA 62, entitled

"An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,"

by amending section 1 (MCL 257.951), as amended by 1998 PA 69.

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

1       Sec. 1. (1) A city, township, or village may adopt by ref-  
2       erence a code or ordinance for the regulation of traffic within  
3       cities, townships, and villages that has been promulgated by the  
4       director of the department of state police. The director of the  
5       department of state police may promulgate a uniform traffic code  
6       pursuant to the administrative procedures act of 1969, 1969  
7       PA 306, MCL 24.201 to 24.328.

8       (2) A city, township, or village, with the consent of, or at  
9       the request of, a person who is in charge of a private road or

1 parking lot, whether or not that road or parking lot is open to  
2 the general public, may contract with that person for the city,  
3 township, or village to enforce provisions of the uniform traffic  
4 code or ordinance adopted under this section on that private road  
5 or parking lot. As used in this subsection, "person" means an  
6 individual, corporation, association, partnership, or other legal  
7 entity.

8       (3) A uniform traffic code promulgated by the director of  
9 the department of state police under this section shall specify  
10 whether a person who violates a particular provision of the code  
11 is guilty of a misdemeanor or is responsible for a civil  
12 infraction. The director may establish civil sanctions for civil  
13 infractions, except that a civil sanction in excess of that pre-  
14 scribed in the vehicle code is in conflict with that act and is  
15 void to the extent of the conflict. The uniform traffic code  
16 shall not impose a criminal penalty for an act or omission that  
17 is a civil infraction under the vehicle code.

18       (4) Violation of a provision designated a civil infraction  
19 in the uniform traffic code shall be processed in the same manner  
20 as a civil infraction under the vehicle code.

21       (5) Notwithstanding the requirements of the uniform traffic  
22 code, a sign designating a parking space for persons with dis-  
23 abilities shall be 12 inches by 18 inches or larger, and ~~shall~~  
24 MAY be either blue or white and ~~at a minimum~~ MAY contain the  
25 international handicapped symbol in contrasting colors of either  
26 blue or white in the center of the sign. HOWEVER, SIGNS ERECTED  
27 IN COMPLIANCE WITH R 408.30427 OF THE MICHIGAN ADMINISTRATIVE

1 CODE ON OR BEFORE NOVEMBER 5, 1993 SHALL REMAIN VALID AND  
2 EFFECTIVE UNTIL THEIR REMOVAL.

3 (6) The provisions of the uniform traffic code promulgated  
4 pursuant to this act that relate to driving while under the  
5 influence of an alcoholic beverage or driving with impaired abil-  
6 ity shall be identical to the provisions of sections 625 to 625m  
7 of the Michigan vehicle code, 1949 PA 300, MCL 257.625 to  
8 257.625m.

9 (7) For purposes of this section, "vehicle code" means the  
10 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.