

SENATE BILL No. 335

March 15, 2001, Introduced by Senators BULLARD, HAMMERSTROM and DUNASKISS
and referred to the Committee on Transportation and Tourism.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 320a (MCL 257.320a), as amended by 2000 PA
460.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 320a. (1) The secretary of state, within 10 days after
2 the receipt of a properly prepared abstract from this or another
3 state, shall record the date of conviction, civil infraction
4 determination, or probate court disposition, and the number of
5 points for each, based on the following formula, except as other-
6 wise provided in this section and section 629c:

7 (a) Manslaughter, negligent homicide, or a felony
8 resulting from the operation of a motor vehicle, ORV,
9 or snowmobile..... 6 points

1	(b) A violation of section 653a(4).....	6 points
2	(c) A violation of section 625(1), (4), (5), or	
3	(7), section 81134 or 82127(1) of the natural resources	
4	and environmental protection act, 1994 PA 451,	
5	MCL 324.81134 and 324.82127, or a law or ordinance sub-	
6	stantially corresponding to section 625(1), (4), (5),	
7	or (7) or, section 81134 or 82127(1) of the natural	
8	resources and environmental protection act, 1994	
9	PA 451, MCL 324.81134 and 324.82127.....	6 points
10	(d) Failing to stop and disclose identity at the	
11	scene of an accident when required by law.....	6 points
12	(e) Operating a motor vehicle in violation of sec-	
13	tion 626 or section 653a(3).....	6 points
14	(f) Fleeing or eluding an officer.....	6 points
15	(g) Violation of any law or ordinance pertaining	
16	to speed by exceeding the lawful maximum by more than	
17	15 miles per hour.....	4 points
18	(h) Violation of section 625(3) or (6), section	
19	81135 or 82127(3) of the natural resources and environ-	
20	mental protection act, 1994 PA 451, MCL 324.81135 and	
21	324.82127, or a law or ordinance substantially corre-	
22	sponding to section 625(3) or (6) or, section 81135 or	
23	82127(3) of the natural resources and environmental	
24	protection act, 1994 PA 451, MCL 324.81135 and	
25	324.82127.....	4 points
26	(i) Violation of section 626a or a law or	
27	ordinance substantially corresponding to section 626a..	4 points

1	(j) Violation of section 653a(2).....	4 points
2	(k) Violation of any law or ordinance pertaining	
3	to speed by exceeding the lawful maximum by more than	
4	10 but not more than 15 miles per hour or careless	
5	driving in violation of section 626b or a law or ordi-	
6	nance substantially corresponding to section 626b.....	3 points
7	(l) Violation of any law or ordinance pertaining	
8	to speed by exceeding the lawful maximum by 10 miles	
9	per hour or less.....	2 points
10	(m) Disobeying a traffic signal or stop sign, or	
11	improper passing.....	3 points
12	(n) Violation of section 624a, 624b, or a law or	
13	ordinance substantially corresponding to section 624a	
14	or 624b.....	2 points
15	(o) Violation of section 310e(4) or (6) or a law	
16	or ordinance substantially corresponding to section	
17	310e(4) or (6).....	2 points
18	(p) All other moving violations pertaining to the	
19	operation of motor vehicles reported under this section	2 points
20	(q) A refusal by a person less than 21 years of	
21	age to submit to a preliminary breath test required by	
22	a peace officer under section 625a.....	2 points
23	(R) A VIOLATION OF SECTION 710D OR 710E OR AN	
24	ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 710D	
25	OR 710E.....	2 POINTS
26	(2) Points shall not be entered for a violation of section	
27	310e(14), 311, 625m, 658, 717, 719, 719a, or 723.	

1 (3) Points shall not be entered for bond forfeitures.

2 (4) Points shall not be entered for overweight loads or for
3 defective equipment.

4 (5) If more than 1 conviction, civil infraction determina-
5 tion, or probate court disposition results from the same inci-
6 dent, points shall be entered only for the violation that
7 receives the highest number of points under this section.

8 (6) If a person has accumulated 9 points as provided in this
9 section, the secretary of state may call the person in for an
10 interview as to the person's driving ability and record after due
11 notice as to time and place of the interview. If the person
12 fails to appear as provided in this subsection, the secretary of
13 state shall add 3 points to the person's record.

14 (7) If a person violates a speed restriction established by
15 an executive order issued during a state of energy emergency as
16 provided by 1982 PA 191, MCL 10.81 to 10.89, the secretary of
17 state shall enter points for the violation pursuant to subsection
18 (1).

19 (8) The secretary of state shall enter 6 points upon the
20 record of a person whose license is suspended or denied pursuant
21 to section 625f. However, if a conviction, civil infraction
22 determination, or probate court disposition results from the same
23 incident, additional points for that offense shall not be
24 entered.

25 (9) If a Michigan driver commits a violation in another
26 state that would be a civil infraction if committed in Michigan,
27 and a conviction results solely because of the failure of the

1 Michigan driver to appear in that state to contest the violation,
2 upon receipt of the abstract of conviction by the secretary of
3 state, the violation shall be noted on the driver's record, but
4 no points shall be assessed against his or her driver's license.