

HOUSE BILL No. 5968

June 1, 2004, Introduced by Reps. Stakoe, Ward, Moolenaar, Wenke, Howell, Newell, DeRoche, Accavitti, Gleason, Nofs and Gaffney and referred to the Committee on Criminal Justice.

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
2 reference a code or ordinance for the regulation of traffic
3 within cities, townships, and villages that has been promulgated
4 by the director of the department of state police. The director
5 of the department of state police may promulgate a uniform
6 traffic code ~~pursuant to~~ **in compliance with** the administrative
7 procedures act of 1969, 1969 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~~ **that**
2 **is not** open to the general public ~~—~~ may contract with that
3 person for the city, township, or village to enforce provisions
4 of the uniform traffic code or ordinance adopted under this
5 section on that private road or parking lot. As used in this
6 subsection, "person" means an individual, corporation,
7 association, partnership, or other legal entity.

8 (3) A uniform traffic code promulgated by the director of the
9 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
14 prescribed in the vehicle code is in conflict with that act and
15 is 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 in
19 the uniform traffic code shall be processed in the same manner as
20 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
23 disabilities shall be 12 inches by 18 inches or larger, and shall
24 be either blue or white and at a minimum contain the
25 international handicapped symbol in contrasting colors of either
26 blue or white in the center of the sign.

27 (6) The provisions of the uniform traffic code promulgated

1 pursuant to this act that relate to driving while under the
2 influence of an alcoholic beverage or driving with impaired
3 ability shall be identical to the provisions of sections 625 to
4 625m of the Michigan vehicle code, 1949 PA 300, MCL 257.625 to
5 257.625m.

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

8 Enacting section 1. This amendatory act does not take
9 effect unless Senate Bill No. _____ or House Bill No. 5967
10 (request no. 04791'03 *) of the 92nd Legislature is enacted into
11 law.