

SENATE BILL No. 1285

May 6, 2008, Introduced by Senators BASHAM, ANDERSON, GARCIA, KUIPERS, BIRKHOLZ, HARDIMAN, JANSEN, JELINEK, GILBERT, CLARK-COLEMAN, SCOTT, SCHAUER, PRUSI, WHITMER, BRATER, THOMAS and STAMAS and referred to the Committee on Judiciary.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
(MCL 257.1 to 257.923) by adding section 682c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 682C. (1) A PERSON SHALL NOT DO EITHER OF THE FOLLOWING:**

2 **(A) INSTALL OR PLACE A TRACKING DEVICE IN OR ON A MOTOR**
3 **VEHICLE WITHOUT THE KNOWLEDGE AND CONSENT OF THE OWNER OF THAT**
4 **MOTOR VEHICLE.**

5 **(B) TRACK THE MOVEMENTS OF A MOTOR VEHICLE WITH A TRACKING**
6 **DEVICE WITHOUT THE KNOWLEDGE AND CONSENT OF THE OPERATOR OF THAT**
7 **MOTOR VEHICLE.**

8 **(2) SUBSECTION (1) DOES NOT APPLY TO ANY OF THE FOLLOWING:**

9 **(A) THE USE OF ANY DEVICE THAT PROVIDES VEHICLE TRACKING ONLY**
10 **FOR PURPOSES OF PROVIDING MECHANICAL, DIRECTIONAL, WEATHER, OR**

1 TRAFFIC INFORMATION TO THE OPERATOR OF THE VEHICLE OR FOR PROVIDING
2 EMERGENCY ASSISTANCE TO THE OPERATOR OR PASSENGERS OF THE VEHICLE
3 THROUGH A SUBSCRIPTION SERVICE, INCLUDING ANY TRIAL PERIOD OF THAT
4 SUBSCRIPTION SERVICE.

5 (B) A POLICE OFFICER WHILE PERFORMING HIS OR HER DUTIES AS A
6 POLICE OFFICER.

7 (C) A PERSON LICENSED UNDER THE PRIVATE DETECTIVE LICENSING
8 ACT, 1965 PA 285, MCL 338.821 TO 338.851, WHILE PERFORMING HIS OR
9 HER DUTIES AS A PRIVATE DETECTIVE OR PRIVATE INVESTIGATOR.

10 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
11 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR
12 A FINE OF NOT MORE THAN \$500.00, OR BOTH.

13 (4) AS USED IN THIS SECTION, "TRACKING DEVICE" MEANS ANY
14 ELECTRONIC DEVICE THAT IS DESIGNED OR INTENDED TO BE USED TO TRACK
15 THE MOVEMENTS OF A MOTOR VEHICLE ON A STREET OR HIGHWAY OF THIS
16 STATE REGARDLESS OF WHETHER THAT INFORMATION IS RECORDED.