

HOUSE BILL No. 4948

May 14, 2009, Introduced by Reps. Geiss, Durhal, Espinoza, Kandrevas, Haugh, Roy Schmidt, Young, Griffin, Nerat and Leland and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2008 PA 19.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 708b. (1) A person shall not operate a motor vehicle that
2 is to be used upon the highways of this state with a television or
3 other similar electronic device that displays a video image that
4 can be viewed by the operator while the motor vehicle is in motion.

5 (2) This section does not apply to:

6 (a) An audio entertainment system, heating or air-conditioning
7 controls, or other accessory controls in the motor vehicle.

8 (b) A vehicle information or navigation system for use in

1 displaying only information pertaining to vehicle location,
2 available routes and destinations, road layouts, weather
3 conditions, traffic and road conditions, vehicle conditions, or
4 traveler services.

5 (c) A research vehicle if the test plan for the vehicle has
6 been approved by a process meeting federal guidelines established
7 in 45 CFR part 46 for the protection of human beings—**SUBJECTS** and
8 the vehicle has been issued a special registration permit by the
9 secretary of state.

10 (d) A motor vehicle equipped with a video display to enhance
11 or supplement the driver's view.

12 (e) A police vehicle, fire vehicle, or ambulance equipped with
13 a monitor for use with a computer-aided dispatch system or
14 emergency equipment controls.

15 (f) A police vehicle equipped with a monitor for use with
16 recording equipment.

17 (g) A motor vehicle equipped with a video display to
18 communicate vehicle, driver, or safety conditions.

19 (3) Except as otherwise provided in this subsection, a visual
20 device permitted under subsection (2)(a) or (b) shall be built into
21 the dashboard, center console, instrument panel, rearview mirror,
22 or other control area of the vehicle and shall meet all applicable
23 federal motor vehicle dash safety standards. An aftermarket visual
24 device described in subsection (2)(a) or (b) may be installed or
25 mounted on the windshield or above the dashboard, but shall not be
26 mounted within the deployment profile of the vehicle airbags or in
27 a manner that interferes with the operator's view or control. This

1 subsection does not apply to a research vehicle described in
2 subsection (2)(c).

3 (4) Upon receipt of a completed application, on a form
4 prescribed by the secretary of state, and payment of a fee of
5 \$10.00, the secretary of state may issue a special permit
6 authorizing a research vehicle to use the highways of this state. A
7 copy of the authority received by the applicant under subsection
8 (2)(c) shall be submitted as part of the application for the
9 special permit. The special permit may be in a form as prescribed
10 by, and shall be displayed on a research vehicle in a manner
11 determined by, the secretary of state. The special permit shall
12 expire upon completion of or expiration of the specific test plan
13 approved under subsection (2)(c), whichever occurs first, and shall
14 be immediately removed from the research vehicle and destroyed. A
15 special permit shall not be transferred to another vehicle or
16 person. The fee collected under this subsection shall be credited
17 to the Michigan transportation fund and used to defray the expenses
18 of the secretary of state in administering the special permit
19 program. In addition to a special permit, the appropriate vehicle
20 registration plate shall be displayed on a research vehicle to use
21 a highway of this state.

22 (5) A person who violates this section is responsible for a
23 ~~civil infraction.~~ **CRIME AS FOLLOWS:**

24 **(A) EXCEPT AS PROVIDED IN SUBDIVISIONS (B) AND (C), THE PERSON**
25 **IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE**
26 **THAN 93 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.**

27 **(B) IF THE USE OF A TELEVISION OR OTHER ELECTRONIC DEVICE IN**

1 VIOLATION OF SUBSECTION (1) IS A CAUSE OF A COLLISION OR LOSS OF
2 VEHICLE CONTROL RESULTING IN A SERIOUS IMPAIRMENT OF A BODY
3 FUNCTION TO ANOTHER PERSON, THE PERSON IS GUILTY OF A FELONY
4 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A FINE OF
5 NOT LESS THAN \$1,000.00 OR MORE THAN \$5,000.00, OR BOTH.

6 (C) IF THE USE OF A TELEVISION OR OTHER ELECTRONIC DEVICE IN
7 VIOLATION OF SUBSECTION (1) IS A CAUSE OF A COLLISION OR LOSS OF
8 VEHICLE CONTROL RESULTING IN THE DEATH OF ANOTHER PERSON, THE
9 PERSON IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT
10 MORE THAN 15 YEARS OR A FINE OF NOT LESS THAN \$2,500.00 OR MORE
11 THAN \$10,000.00, OR BOTH.

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.