

Legislative Analysis



OBSTRUCTED LICENSE PLATES

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House Bill 4881 Substitute H-1 as reported from committee

Sponsor: Rep. Peter Lucido

Committee: Transportation and Infrastructure

Complete to 11-3-17

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4881 would amend the Michigan Vehicle Code to clarify that a vehicle whose registration plate is blocked from view by a device such as a tow ball, bicycle rack, or removable hitch is not in violation of the Code's requirement that registration plates be visible and not obscured.

Section 225 of the Michigan Vehicle Code currently requires that a registration plate be attached to a vehicle "in a place and position that is clearly visible" and that the plate be kept both legible and free from "foreign materials that obscure or partially obscure the registration information."

In 2016, the Supreme Court held that Section 225 prohibits obstruction of a registration plate by an object attached to a vehicle—in that case, a towing ball attached to the rear bumper of a truck that prevented police from reading one of the characters on the plate.¹

House Bill 4881 would amend Section 225 to specify that the prohibition against materials that "obscure or partially obscure the registration plate" does not include tow balls, bike racks, removable hitches, or similar devices used to carry things on the back of a vehicle or the things being carried by those devices.

The bill would take effect 90 days after enactment.

MCL 257.225

FISCAL IMPACT:

House Bill 4881 would have no apparent fiscal impact on the State or local governments.

POSITIONS:

League of Michigan Bicyclists supports the bill. (10-31-17)

Michigan Trails and Greenway Alliance supports the bill. (10-31-17)

Tri-County Bicycle Association supports the bill. (10-31-17)

¹ *People v Dunbar*, 499 Mich 60 (2016).

Michigan Department of State Police is neutral on the bill. (10-31-17)

Michigan Secretary of State is neutral on the bill. (10-24-17)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.