

HOUSE BILL No. 5877

April 25, 2018, Introduced by Rep. LaFave and referred to the Committee on Health Policy.

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 2006 PA 297.

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 within
3 cities, townships, and villages that has been promulgated by the
4 director of the department of state police. The director of the
5 department of state police may promulgate a uniform traffic code in
6 compliance with the administrative procedures act of 1969, 1969 PA
7 306, MCL 24.201 to 24.328.

8 (2) A city, township, or village, with the consent of, or at

1 the request of, a person who is in charge of a parking lot, whether
2 or not that parking lot is open to the general public, may contract
3 with that person for the city, township, or village to enforce
4 provisions of the uniform traffic code or ordinance adopted under
5 this section in that parking lot. A peace officer may enter upon a
6 private road that is accessible to the general public to enforce
7 provisions of an ordinance adopted under this section if signs
8 meeting the requirements of the Michigan manual of uniform traffic
9 control devices are posted on the private road. The owner or person
10 in charge of the private road is responsible for the posting of
11 signs under this subsection. ~~Nothing in this~~ **THIS** subsection ~~shall~~
12 ~~be considered to~~ **DOES NOT** affect a contract entered into between a
13 city, township, or village and the person in charge of a private
14 road before ~~the effective date of the amendatory act that added~~
15 ~~this sentence.~~ **JULY 20, 2006.** As used in this subsection, "person"
16 means an individual, corporation, association, partnership, or
17 other legal entity.

18 (3) A uniform traffic code promulgated by the director of the
19 department of state police under this section shall specify whether
20 a person who violates a particular provision of the code is guilty
21 of a misdemeanor or is responsible for a civil infraction. The
22 director may establish civil sanctions for civil infractions,
23 except that a civil sanction in excess of that prescribed in the
24 vehicle code is in conflict with that act and is void to the extent
25 of the conflict. The uniform traffic code shall not impose a
26 criminal penalty for an act or omission that is a civil infraction
27 under the vehicle code.

1 (4) Violation of a provision designated a civil infraction in
2 the uniform traffic code shall be processed in the same manner as a
3 civil infraction under the vehicle code.

4 (5) Notwithstanding the requirements of the uniform traffic
5 code, **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION**, a sign
6 designating a parking space for persons with disabilities shall be
7 12 inches by 18 inches or larger and shall be either blue or white
8 and at a minimum contain the international handicapped symbol in
9 contrasting colors of either blue or white in the center of the
10 sign. **A SIGN DESIGNATING A PARKING SPACE FOR PERSONS WITH**
11 **DISABILITIES THAT IS ERECTED OR REPLACED ON OR AFTER THE EFFECTIVE**
12 **DATE OF THE 2018 AMENDATORY ACT THAT AMENDED THIS SUBSECTION SHALL**
13 **BE 12 INCHES BY 18 INCHES OR LARGER AND SHALL BE EITHER BLUE OR**
14 **WHITE AND CONTAIN A HANDICAPPED SYMBOL DEPICTING A LOGO WITH A**
15 **DYNAMIC CHARACTER LEANING FORWARD WITH A SENSE OF MOVEMENT IN**
16 **CONTRASTING COLORS OF EITHER BLUE OR WHITE IN THE CENTER OF THE**
17 **SIGN.**

18 (6) The provisions of the uniform traffic code promulgated
19 ~~pursuant to~~ **UNDER** this act that relate to driving while under the
20 influence of an alcoholic beverage or driving with impaired ability
21 shall be identical to the provisions of sections 625 to 625m of the
22 ~~Michigan vehicle code, 1949 PA 300,~~ MCL 257.625 to 257.625m.

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

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