

SENATE BILL NO. 1004

September 17, 2024, Introduced by Senators KLINEFELT, POLEHANKI, SANTANA, GEISS and BAYER and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 675c (MCL 257.675c), as amended by 2000 PA 268,
and by adding sections 40d and 674b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 40d. (1) "Electric vehicle parking space" means a parking**
2 **space that provides access to electric vehicle supply equipment.**

3 **(2) "Electric vehicle supply equipment" means a device that is**
4 **supplied with electricity and is designed or used for delivering**

1 electricity into the battery storage system of a motor vehicle.

2 Sec. 674b. (1) An individual shall not stop, stand, or park a
3 vehicle in a designated electric vehicle parking space marked by a
4 sign described in subsection (2) unless the vehicle is plugged into
5 electric vehicle supply equipment.

6 (2) The owner of an electric vehicle parking space that seeks
7 to have this section enforced for that electric vehicle parking
8 space must install a sign described in this subsection at the
9 owner's expense. A sign designating an electric vehicle parking
10 space must comply with the requirements for a sign posted under
11 section 252k and the Michigan manual on uniform traffic control
12 devices and must include all of the following information:

13 (a) That the parking space is reserved for electric vehicle
14 charging.

15 (b) Day or time restrictions.

16 (c) The maximum civil fine that may be incurred for a
17 violation.

18 (3) This section applies only to electric vehicle parking
19 spaces that are available for use by the public.

20 (4) A local authority may adopt, enact, or enforce a local law
21 that is not inconsistent with this section.

22 (5) An individual who violates this section is responsible for
23 a civil infraction.

24 Sec. 675c. (1) Except as provided in section 675b, if a
25 vehicle is stopped, standing, or parked in violation of section
26 672, 674, 674a, **674b**, 675, or 676, or other state statute, or a
27 local ordinance prohibiting or restricting the stopping, standing,
28 or parking of a vehicle and the violation is a civil infraction,
29 the person in whose name that vehicle is registered in this state

1 or another state at the time of the violation is prima facie
2 responsible for that violation and subject to section 907.

3 (2) The owner of a vehicle cited for a stopping, standing, or
4 parking violation pursuant to subsection (1) may assert as an
5 affirmative defense that the vehicle in question, at the time of
6 the violation, was in the possession of ~~a person~~ **an individual** whom
7 the owner had not knowingly permitted to operate the vehicle.

8 (3) The registered owner of a vehicle who is found to be
9 responsible for a civil infraction as the result of subsection (1)
10 or a leased vehicle owner as defined in section 675b that is found
11 to be responsible for a civil infraction described in section 675b
12 has the right to recover in a civil action against the ~~person~~
13 **individual** who parked, stopped, or left standing the vehicle in
14 question damages including, but not limited to, the amount of any
15 civil fine or costs, or both, imposed pursuant to section 907. The
16 registered owner of a vehicle or the leased vehicle owner may
17 provide in a written agreement that the ~~person~~ **individual** who
18 parked, stopped, or left standing the vehicle in violation of a
19 state statute or local ordinance, when the violation is a civil
20 infraction, shall indemnify the registered owner or the leased
21 vehicle owner for the damages incurred including, but not limited
22 to, any civil fine and costs imposed upon the registered owner for
23 that civil infraction. With regard to a leased vehicle, this
24 subsection does not apply if the court or parking violations bureau
25 issuing the violation finds that the lessee or renter of the
26 vehicle is not responsible for the violation and it is determined
27 that the lessee or renter did not violate the terms of the rental
28 contract or lease agreement.

29 (4) A police officer who issues a citation for a vehicle that

1 is stopped, standing, or parked in violation of a state statute or
2 a local ordinance prohibiting or restricting the stopping,
3 standing, or parking of a vehicle may issue the citation for the
4 violation to the operator of the vehicle if the operator is present
5 at the time of the violation.