

Act No. 164
Public Acts of 2024
Approved by the Governor
December 10, 2024
Filed with the Secretary of State
December 10, 2024
EFFECTIVE DATE: Sine Die
(91st day after final adjournment of the 2024 Regular Session)

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2024**

Introduced by Reps. Snyder and Mueller

ENROLLED HOUSE BILL No. 4132

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 79d, 907, and 909 (MCL 257.79d, 257.907, and 257.909), section 79d as added by 2003 PA 315, section 907 as amended by 2024 PA 22, and section 909 as amended by 2000 PA 94, and by adding sections 2c, 627c, and 907a.

The People of the State of Michigan enact:

Sec. 2c. (1) “Automated speed enforcement system” means an electronic traffic sensor system that does both of the following:

(a) Automatically detects a vehicle exceeding the posted speed limit using a lidar system or another technology that must not be either of the following:

(i) A radar system.

(ii) Less capable than a lidar system.

(b) Produces a recorded image of the vehicle described in subdivision (a) that shows all of the following:

(i) A clear and legible identification of the vehicle’s registration plate.

(ii) The location where the recorded image was taken.

(iii) The date and time when the recorded image was taken.

(2) “Automated speed enforcement system operator” means an individual trained and certified to operate and monitor an automated speed enforcement system by the automated speed enforcement unit within the state transportation department.

Sec. 79d. (1) “Work zone” means a portion of a street or highway open to vehicular traffic and adjacent to a barrier, berm, lane, or shoulder of a street or highway within which construction, maintenance, public utility work, reconstruction, repair, resurfacing, or surveying is being conducted by 1 or more individuals and that meets any of the following:

(a) Is between both of the following:

(i) A sign notifying the beginning of work.

(ii) An “end road work” sign or, if no sign is posted, the last temporary traffic control device before the normal flow of traffic resumes.

(b) Is between a “begin work convoy” sign and an “end work convoy” sign.

(c) If a moving or stationary vehicle or equipment exhibiting a rotating beacon or strobe light is used, is between both of the following points:

(i) A point that is 150 feet behind the rear of the vehicle or equipment or that is the point from which the beacon or strobe light is first visible on the street or highway behind the vehicle or equipment, whichever is closer to the vehicle or equipment.

(ii) A point that is 150 feet in front of the front of the vehicle or equipment or that is the point from which the beacon or strobe light is first visible on the street or highway in front of the vehicle or equipment, whichever is closer to the vehicle or equipment.

(2) As used in this section, “temporary traffic control device” means a traffic control device that is installed for a limited time period during construction, maintenance, public utility work, reconstruction, repair, resurfacing, or surveying as described in subsection (1).

Sec. 627c. (1) Beginning 1 year after the effective date of the amendatory act that added section 2c, the state transportation department may install and use or authorize the installation and use of an automated speed enforcement system in a work zone that is not separated from traffic by concrete barriers on a street or highway under the jurisdiction of the state transportation department. The installation and use of automated speed enforcement systems is subject to all of the following:

(a) A sign must be placed 1 mile before the start of a work zone where an automated speed enforcement system is installed and used under this section indicating that the work zone is monitored by an automated speed enforcement system.

(b) A digital display must be placed on or near the automated speed enforcement system that shows the speed of an approaching vehicle as measured by the automated speed enforcement system.

(c) Prioritization must be given to work zones that meet the following factors:

(i) The work zone is active and located on a freeway with a speed limit of 45 miles per hour or more.

(ii) Workers are exposed or there are traffic hazards, including, but not limited to, lane shifts, lane splits, lane width reductions, closed shoulders, and rough pavement.

(iii) The work zone will be active for 30 days or more.

(iv) There are no significant obstructions to line of sight for the automated speed enforcement system.

(d) Automated speed enforcement systems must be used in an equitable manner to avoid causing a disparate impact on specific communities.

(e) Not more than 4 automated speed enforcement systems may be installed and used at the same time within the jurisdiction of a state transportation department region office.

(f) The state transportation department may install and use an automated speed enforcement system only by contracting with a third-party vendor.

(g) An automated speed enforcement system must be activated and detecting vehicle speed for the purpose of enforcing this section only while workers are present in the work zone.

(2) Except for an individual operating a police vehicle, a fire department or fire patrol vehicle, or a public or private ambulance as provided in section 632, if an individual violates an applicable speed limit described in section 627 by exceeding a posted speed limit by 10 miles per hour or more in a work zone while workers are present, on the basis of a recorded image produced by an automated speed enforcement system, all of the following apply:

(a) An individual must be issued a written warning using a form that is created by the automated speed enforcement unit under subsection (7) for either of the following violations as described in this subsection:

(i) A first violation.

(ii) A violation that occurs more than 3 years after that individual’s most recent violation.

(b) For a second violation as described in this subsection that occurs less than 3 years after a written warning is issued under subdivision (a), the individual is responsible for a civil infraction and must be ordered to pay a civil fine of not more than \$150.00.

(c) For a third or subsequent violation as described in this subsection that occurs less than 3 years after a second or subsequent violation, the individual is responsible for a civil infraction and must be ordered to pay a civil fine of not more than \$300.00.

(3) A sworn statement of an automated speed enforcement system operator, based on inspecting a recorded image produced by an automated speed enforcement system, is prima facie evidence of the facts contained in the recorded image. A recorded image indicating a violation must be available for inspection in any proceeding to adjudicate the responsibility for a violation of this section. A recorded image indicating a violation must be destroyed as soon as the period for contesting the violation has lapsed, including any period for appeals, or as soon as the individual pays the civil fine in full, whichever occurs first.

(4) All of the following apply to a recorded image and any other data collected by an automated speed enforcement system:

(a) The image and data may be used only for the purpose of adjudicating a violation of this section.

(b) Except to the extent necessary to adjudicate a violation of this section, the image and data are confidential and exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(c) The image and data must not be shared with or sold to any private or public third party not involved with installing and using the automated speed enforcement system.

(5) In a proceeding for a violation of this section, prima facie evidence that the vehicle described in the citation issued was operated in violation of this section, together with proof that the individual who was issued the citation was at the time of the violation the registered owner of the vehicle, creates a rebuttable presumption that the registered owner of the vehicle was the individual who committed the violation. The presumption is rebutted if the registered owner of the vehicle files an affidavit by regular mail with the clerk of the court stating that the registered owner was not the operator of the vehicle at the time of the alleged violation or testifies in open court under oath that the registered owner was not the operator of the vehicle at the time of the alleged violation. The presumption also is rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen before the time of the alleged violation of this section, is presented before the appearance date established on the citation. For purposes of this subsection, the owner of a leased or rented vehicle shall provide the name and address of the individual to whom the vehicle was leased or rented at the time of the violation.

(6) Notwithstanding section 742, a citation for a violation of this section may be executed by the state transportation department or a person designated by the state transportation department by mailing by first-class mail a copy to the address of the registered owner of the vehicle as shown on the records of the secretary of state. The state transportation department shall also file the citation with the court having jurisdiction over the offense. If the summoned individual fails to appear on the date of return set out in the citation mailed under this subsection, the clerk of the court shall enter a default after certifying, on a form furnished by the court, that the defendant has not made a scheduled appearance or has not answered the citation within the time provided by law.

(7) Subject to appropriation, an automated speed enforcement unit is created within the state transportation department composed of individuals appointed by the director of the state transportation department, to do all of the following:

(a) Oversee the implementation and use of automated speed enforcement systems under this section.

(b) Train and certify automated speed enforcement system operators to operate and monitor automated speed enforcement systems and provide sworn statements under subsection (3).

(c) Create a form for the written warning described in subsection (2) and any other new written forms or notices necessary for enforcing this section.

(8) The state transportation department shall develop guidelines for installing and using automated speed enforcement systems. In developing the guidelines, the state transportation department shall consider best practices for installing and using automated speed enforcement systems and recommendations from the manufacturers of automated speed enforcement systems. The guidelines must include, but are not limited to, procedures for each of the following:

(a) Determining where to place an automated speed enforcement system.

(b) Regular calibration and maintenance of an automated speed enforcement system.

(9) By not later than March 1 of each year after the effective date of the amendatory act that added this section, the state transportation department shall submit to the members of the house of representatives and senate committees with jurisdiction over transportation, and make publicly available on the state transportation department website, a report on the use of automated speed enforcement systems in this state that includes, at a minimum, all of the following:

- (a) The number of citations given under this section.
- (b) The age and sex of the individuals given citations under this section.
- (c) The locations where automated speed enforcement systems are installed and used, and where citations have been given.
- (d) An accounting of both of the following relating to automated speed enforcement systems installed and used under this section:
 - (i) The costs of installing and using.
 - (ii) The revenue generated.
- (10) As used in this section, “present” means located in proximity to a roadway that is not protected by a guardrail or barrier.

Sec. 907. (1) A violation of this act, or a local ordinance that substantially corresponds to a provision of this act, that is designated a civil infraction must not be considered a lesser included offense of a criminal offense.

(2) Permission may be granted for payment of a civil fine and costs to be made within a specified period of time or in specified installments but, unless permission is included in the order or judgment, the civil fine and costs must be payable immediately. Except as otherwise provided, a person found responsible or responsible “with explanation” for a civil infraction must pay costs as provided in subsection (4) and 1 or more of the following civil fines, as applicable:

(a) Except as otherwise provided, for a civil infraction under this act or a local ordinance that substantially corresponds to a provision of this act, the person must be ordered to pay a civil fine of not more than \$100.00.

(b) If the civil infraction was a moving violation that resulted in an at-fault collision with another vehicle, an individual, or any other object, the civil fine ordered under this section is increased by \$25.00 but the total civil fine must not be more than \$100.00.

(c) For a violation of section 240, the civil fine ordered under this section is \$15.00.

(d) For a violation of section 312a(4)(a), the civil fine ordered under this section must not be more than \$250.00.

(e) For a first violation of section 319f(1), the civil fine ordered under this section must not be less than \$2,500.00 or more than \$2,750.00; for a second or subsequent violation, the civil fine must not be less than \$5,000.00 or more than \$5,500.00.

(f) For a violation of section 319g(1)(a), the civil fine ordered under this section must not be more than \$10,000.00.

(g) For a violation of section 319g(1)(g), the civil fine ordered under this section must not be less than \$2,750.00 or more than \$25,000.00.

(h) For a violation of section 602b, the civil fine ordered under this section must be as follows:

(i) For a violation of section 602b(1), either of the following:

(A) If the violation does not involve an accident, \$100.00 for a first offense and \$250.00 for a second or subsequent offense.

(B) If the violation involves an accident, \$200.00 for a first offense and \$500.00 for a second or subsequent offense.

(ii) For a violation of section 602b(2), either of the following:

(A) If the violation does not involve an accident, \$200.00 for a first offense and \$500.00 for a second or subsequent offense.

(B) If the violation involves an accident, \$400.00 for a first offense and \$1,000.00 for a second or subsequent offense.

(i) For a violation of section 627c, the civil fine ordered under this section must not be more than \$150.00 for a second violation as described in section 627c(2)(b) and \$300.00 for a third or subsequent violation described in section 627c(2)(c).

(j) For a violation of section 674(1)(s) or a local ordinance that substantially corresponds to section 674(1)(s), the civil fine ordered under this section must not be less than \$100.00 or more than \$250.00.

(k) For a violation of section 676a(3), the civil fine ordered under this section must not be more than \$10.00.

- (l) For a violation of section 676c, the civil fine ordered under this section is \$1,000.00.
- (m) For a violation of section 682 or a local ordinance that substantially corresponds to section 682, the civil fine ordered under this section must not be less than \$100.00 or more than \$500.00.
- (n) For a violation of section 710d, the civil fine ordered under this section must not be more than \$10.00, subject to subsection (11).
- (o) For a violation of section 710e, the civil fine and court costs ordered under this subsection must be \$25.00.
- (3) Except as otherwise provided in this section, if an individual is determined to be responsible or responsible “with explanation” for a civil infraction under this act or a local ordinance that substantially corresponds to a provision of this act while driving a commercial motor vehicle, the individual must be ordered to pay costs as provided in subsection (4) and a civil fine of not more than \$250.00.
- (4) If a civil fine is ordered under subsection (2) or (3), the judge or district court magistrate shall summarily tax and determine the costs of the action, which are not limited to the costs taxable in ordinary civil actions, and may include all expenses, direct and indirect, to which the plaintiff has been put in connection with the civil infraction, up to the entry of judgment. Costs must not be ordered in excess of \$100.00. A civil fine ordered under subsection (2) or (3) must not be waived unless costs ordered under this subsection are waived. Except as otherwise provided by law, costs are payable to the general fund of the plaintiff.
- (5) In addition to a civil fine and costs ordered under subsection (2) or (3) and subsection (4) and the justice system assessment ordered under subsection (12), the judge or district court magistrate may order the individual to attend and complete a program of treatment, education, or rehabilitation.
- (6) A district court magistrate shall impose the sanctions permitted under subsections (2), (3), and (5) only to the extent expressly authorized by the chief judge or only judge of the district court district.
- (7) Each district of the district court and each municipal court may establish a schedule of civil fines, costs, and assessments to be imposed for civil infractions that occur within the respective district or city. If a schedule is established, it must be prominently posted and readily available for public inspection. A schedule need not include all violations that are designated by law or ordinance as civil infractions. A schedule may exclude cases on the basis of a defendant’s prior record of civil infractions or traffic offenses, or a combination of civil infractions and traffic offenses.
- (8) The state court administrator shall annually publish and distribute to each district and court a recommended range of civil fines and costs for first-time civil infractions. This recommendation is not binding on the courts that have jurisdiction over civil infractions but is intended to act as a normative guide for judges and district court magistrates and a basis for public evaluation of disparities in the imposition of civil fines and costs throughout this state.
- (9) If a person has received a civil infraction citation for defective safety equipment on a vehicle under section 683, the court shall waive a civil fine, costs, and assessments on receipt of certification by a law enforcement agency that repair of the defective equipment was made before the appearance date on the citation.
- (10) A default in the payment of a civil fine or costs ordered under subsection (2), (3), or (4) or a justice system assessment ordered under subsection (12), or an installment of the fine, costs, or assessment, may be collected by a means authorized for the enforcement of a judgment under chapter 40 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4001 to 600.4065, or under chapter 60 of the revised judicature act of 1961, 1961 PA 236, MCL 600.6001 to 600.6098.
- (11) Before the effective date of 2024 PA 22, the court may waive any civil fine, cost, or assessment against an individual who received a civil infraction citation for a violation of section 710d if the individual, before the appearance date on the citation, supplies the court with evidence of acquisition, purchase, or rental of a child seating system meeting the requirements of section 710d. Beginning on the effective date of 2024 PA 22, the court may waive any civil fine, cost, or assessment against an individual who received a civil infraction citation for a violation of section 710d if the individual, before the appearance date on the citation, supplies the court with evidence of acquisition of a child seating system that meets the requirements of section 710d and evidence that the individual has received education from a certified child passenger safety technician.
- (12) In addition to any civil fines or costs ordered to be paid under this section, the judge or district court magistrate shall order the defendant to pay a justice system assessment of \$40.00 for each civil infraction determination, except for a parking violation or a violation for which the total fine and costs imposed are \$10.00 or less. On payment of the assessment, the clerk of the court shall transmit the assessment collected to the state treasury to be deposited into the justice system fund created in section 181 of the revised judicature act of 1961, 1961 PA 236, MCL 600.181. An assessment levied under this subsection is not a civil fine for purposes of section 909.

(13) If a person has received a citation for a violation of section 223, the court shall waive any civil fine, costs, and assessment on receipt of certification by a law enforcement agency that the person, before the appearance date on the citation, produced a valid registration certificate that was valid on the date the violation of section 223 occurred.

(14) If a person has received a citation for a violation of section 328(1) for failing to produce a certificate of insurance under section 328(2), the court may waive the fee described in section 328(3)(c) and shall waive any fine, costs, and any other fee or assessment otherwise authorized under this act on receipt of verification by the court that the person, before the appearance date on the citation, produced valid proof of insurance that was in effect when the violation of section 328(1) occurred. Insurance obtained after the violation occurred does not make the person eligible for a waiver under this subsection.

(15) If a person is determined to be responsible or responsible “with explanation” for a civil infraction under this act or a local ordinance that substantially corresponds to a provision of this act and the civil infraction arises out of the ownership or operation of a commercial quadricycle, the person must be ordered to pay costs as provided in subsection (4) and a civil fine of not more than \$500.00.

(16) As used in this section, “moving violation” means an act or omission prohibited under this act or a local ordinance that substantially corresponds to this act that involves the operation of a motor vehicle and for which a fine may be assessed.

Sec. 907a. (1) The work zone safety fund is created in the state treasury.

(2) The state treasurer shall deposit money and other assets received from any other source in the fund. The state treasurer shall direct the investment of money in the fund and credit interest and earnings from the investments to the fund.

(3) The state transportation department is the administrator of the fund for audits of the fund.

(4) Subject to subsection (5), the state transportation department shall expend money from the fund, on appropriation, only for any of the following expenses:

(a) Paying the third-party vendor contracted under section 627c(1) to install and use an automated speed detection system.

(b) Administering the fund.

(c) Paying the cost of mailing written warnings and citations in enforcing section 627c.

(5) At the end of each fiscal year, after paying the expenses described in subsection (4), any money remaining in the fund shall be applied to the support of public libraries and county law libraries under section 909(1).

(6) As used in this section, “fund” means the work zone safety fund created in subsection (1).

Sec. 909. (1) Except as provided in subsections (2), (3), and (6), a civil fine that is ordered under section 907 for a violation of this act or other state statute must be exclusively applied to the support of public libraries and county law libraries in the same manner as is provided by law for penal fines assessed and collected for violation of a penal law of this state. Except as provided in subsection (4), a civil fine ordered for a violation of a code or ordinance of a local authority regulating the operation of commercial motor vehicles and substantially corresponding to a provision of this act must be paid to the county treasurer and must be allocated as follows:

(a) Seventy percent to the local authority in which the citation is issued.

(b) Thirty percent for library purposes as provided by law.

(2) Subsection (1) is intended to maintain a source of revenue for public libraries that previously received penal fines for misdemeanor violations of this act that are now civil infractions.


(3) A civil fine ordered for a violation of section 682 that is a camera-based violation as defined in section 682 must be paid to the county treasurer or the county treasurer’s designee and be distributed by the county treasurer or the county treasurer’s designee to the school district that operates the school bus and be used for school transportation safety-related purposes as provided in section 682.

(4) A civil fine ordered for a violation of a code or ordinance of a local authority that substantially corresponds to section 682 that is a camera-based violation as defined in section 682 must be paid to the county treasurer or the county treasurer’s designee and be distributed by the county treasurer or the county treasurer’s designee to the school district that operates the school bus and be used for school transportation safety-related purposes as provided in section 682.

(5) A county treasurer may enter into a contract with and designate a private vendor to process a civil fine described in subsection (3) or (4). A private vendor described in this subsection may be a private vendor contracted by a school district to install, operate, and provide support to a stop-arm camera system on a school bus under section 20 of the pupil transportation act, 1990 PA 187, MCL 257.1820.

(6) A civil fine that is ordered under section 907 for a violation of section 627c must be paid to the state transportation department. The state transportation department shall deposit any civil fines described in this subsection into the work zone safety fund created in section 907a.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 4133 of the 102nd Legislature is enacted into law.


Clerk of the House of Representatives


Secretary of the Senate

Approved _____

Governor