UNIFORM TRAFFIC CODE
Act 62 of 1956

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.

History: 1956, Act 62, Eff. Aug. 11, 1956;—Am. 1978, Act 514, Eff. Aug. 1, 1979.

The People of the State of Michigan enact:

257.951 Uniform traffic code; promulgation; adoption by reference; parking lot; entry upon private road; violation as misdemeanor or civil infraction; civil sanctions; processing of civil infraction; designating parking space for persons with disabilities; provisions relating to driving under influence or with impaired ability; "vehicle code" defined.

Sec. 1. (1) A city, township, or village may adopt by reference a code or ordinance for the regulation of traffic within cities, townships, and villages that has been promulgated by the director of the department of state police. The director of the department of state police may promulgate a uniform traffic code in compliance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(2) A city, township, or village, with the consent of, or at the request of, a person who is in charge of a parking lot, whether or not that parking lot is open to the general public, may contract with that person for the city, township, or village to enforce provisions of the uniform traffic code or ordinance adopted under this section in that parking lot. A peace officer may enter upon a private road that is accessible to the general public to enforce provisions of an ordinance adopted under this section if signs meeting the requirements of the Michigan manual of uniform traffic control devices are posted on the private road. The owner or person in charge of the private road is responsible for the posting of signs under this subsection. Nothing in this subsection shall be considered to affect a contract entered into between a city, township, or village and the person in charge of a private road before the effective date of the amendatory act that added this sentence. As used in this subsection, "person" means an individual, corporation, association, partnership, or other legal entity.

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

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

(5) Notwithstanding the requirements of the uniform traffic code, a sign designating a parking space for persons with disabilities shall be 12 inches by 18 inches or larger and shall be either blue or white and at a minimum contain the international handicapped symbol in contrasting colors of either blue or white in the center of the sign.

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

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

History: 1956, Act 62, Eff. Aug. 11, 1956;—Am. 1978, Act 514, Eff. Aug. 1, 1979;—Am. 1979, Act 117, Imd. Eff. Oct. 17, 1979;—Am. 1988, Act 121, Imd. Eff. May 6, 1988;—Am. 1993, Act 225, Imd. Eff. Nov. 5, 1993;—Am. 1998, Act 69, Imd. Eff. May 4, 1998;—Am. 2006, Act 297, Imd. Eff. July 20, 2006.

Administrative rules: R 28.1001 et seq. of the Michigan Administrative Code.

257.952 Identification and publication of code adopted by reference; notice.

Sec. 2. The code or ordinance passed shall clearly identify the code adopted by reference. The code need not be published in full. Publication of the code or ordinance shall be supplemented by a notice of the purpose of the code and the fact that a complete copy of the code is available for inspection by the public at the office of the city, township, or village clerk.

History: 1956, Act 62, Eff. Aug. 11, 1956;—Am. 1979, Act 119, Imd. Eff. Oct. 17, 1979.

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257.953 Amendment of code; adoption.

Sec. 3. If the commissioner of the state police shall thereafter amend such code, any city, township or village which has adopted such code by reference may adopt such amendment by reference by the same procedure as required for the adoption of the original code, or such amendment may be adopted by enacting an ordinance setting forth the entire text of such amendment.

History: 1956, Act 62, Eff. Aug. 11, 1956.

257.954 Inspection of code.

Sec. 4. Upon adoption of the code by reference, the city, township, or village clerk shall maintain in his or her office a copy of the code for inspection by the public or a person charged under the code.

History: 1956, Act 62, Eff. Aug. 11, 1956;—Am. 1979, Act 119, Imd. Eff. Oct. 17, 1979.

257.955 Operation of commercial vehicle; payment and allocation of civil fine; exception; issuance of more than 1 citation; equipment violations; training requirements as motor carrier enforcement officer; definitions.

Sec. 5. (1) A civil fine imposed upon a person for a violation of a code or ordinance regulating the operation of a commercial vehicle adopted by a city, township, or village under section 1 shall be paid to the county treasurer and shall be allocated as follows:

(a) Seventy percent to the city, township, or village in which the citation is issued.

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

(2) This section does not apply to a case in which the citation is dismissed pursuant to subsection (3).

(3) The owner or operator of a commercial motor vehicle shall not be issued more than 1 citation for each violation of a code or ordinance regulating the operation of a commercial motor vehicle and substantially corresponding to a provision of sections 683 to 725a of the Michigan vehicle code, 1949 PA 300, MCL 257.683 to 257.725a, within a 24-hour period. If the owner or operator of a commercial motor vehicle is issued a citation for an equipment violation that does not result in the vehicle being placed out of service, the court shall dismiss the citation if the owner or operator of that commercial motor vehicle provides written proof to the court within 14 days after the citation is issued showing that the defective equipment indicated in the citation has been repaired.

(4) In order to be classified as a motor carrier enforcement officer, a police officer must have training equal to the minimum training requirements, including any annual training updates, established by the department of state police for an officer of the motor carrier division of the department of state police. A police officer who has received training equal to these minimum training requirements before the effective date of this section is considered a motor carrier enforcement officer for purposes of this act.

(5) As used in this section:

(a) "Commercial vehicle" means that term as defined in section 7 of the Michigan vehicle code, 1949 PA 300, MCL 257.7.

(b) "Operation" means being in actual physical control of a vehicle regardless of whether or not the person is licensed under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, as an operator or chauffeur.

(c) "Out of service" means that process established under the motor carrier safety act, 1963 PA 181, MCL 480.11 to 480.22.

(d) "Person" means every natural person, partnership, association, or corporation and their legal successors.

History: Add. 2000, Act 95, Imd. Eff. May 15, 2000.

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