

SUMMARY OF TRAFFIC SAFETY LEGISLATION FOR GTSAC 12-19-03

MSP is the Lead Agency unless otherwise noted

Updated: 12/19/03

Drunk Driving Legislation

SB 377 (Sen. Bishop)

Creates an aggravated drunken driving penalty.

In Senate Judiciary Committee – no action since introduction

SB 428 (Sen. Switalski)

Includes police stations in locations used and nurses in personnel authorized to draw blood to determine blood alcohol content.

In Senate Judiciary Committee – no action since introduction

SB 569 (Sen. George)

Increases mandatory minimum fine for certain alcohol and controlled substance-related driving offenses.

In Senate Transportation Committee – no action since introduction

HB 4334 (Rep. Van Regenmorter)

Governor's Office Lead

Allows preliminary breath tests as admissible evidence in drunken driving prosecutions.

In House Criminal Justice Committee – no action since introduction

HB 4477 (Rep. Voorhees)

FIA Lead

Expands definition of child abuse to include the act of operating a motor vehicle under the influence of an intoxicating liquor with a child in the vehicle. (Currently falls under child endangerment 257.625)

In House Criminal Justice Committee – no action since introduction

HB 4664 (Rep. Hummel)

Excludes period of incarceration, probation and parole from time periods for determining when prior drunken driving offenses occurred.

In House Criminal Justice Committee – no action since introduction

HB 5120 (Rep. Van Regenmorter)

Provides for a wide range of technical amendments due to new .08.

Passed House, in Senate Judiciary Committee

HB 5130 (Rep. Meisner)

Prohibits operation of an ORV by individuals with a blood alcohol content of 0.08 or more or with any amount of controlled substance listed in schedule 1 of public health code.

Passed House, In Senate Judiciary Committee

HB 5131 (Rep. Nofs)

Prohibits operation of a watercraft by individuals with a blood alcohol content of 0.08 or more or with any amount of controlled substance listed in schedule 1 of public health code.

Passed House, In Senate Judiciary Committee

HB 5132 (Rep. Condino)

Prohibits operation of a snowmobile by individuals with a blood alcohol content of 0.08 or more or with any amount of controlled substance listed in schedule 1 of public health code.

Passed House, In Senate Judiciary Committee

SB 903 (Sen. Switalski)

Requires a blood alcohol content test and a drug test for **all drivers** involved traffic crashes resulting in serious injury or death.

In Senate Judiciary Committee

Driver License Related Bills

SB 394 (Sen. Sanborn)

Requires Secretary of State to suspend the driver license of minors attempting to purchase/possess/consume alcohol. 30 days for 1st offense, 90 days for 2nd offense, 1 year for 3rd or subsequent offense

In Senate Judiciary Committee – no action since introduction

SB 613 (Sen. Jacobs)

Dep. of Education

Allows suspension or denial of driver license of a juvenile for truancy.

Referred to Senate Education Committee – no action since introduction

HB 4209 (Rep. Hardman)

Dep of Education Lead

Permits suspension or denial of driver license to a truant juvenile.

In House Education Committee – no action since introduction

SB 555 (Sen. Patterson)

Governor’s Legal Council

Provides for points added to driver license record when determined that use of cellular phone contributed to cause of traffic violation.

In Senate Technology and Energy Committee no action since introduction

HB 5327 (Rep. Ward)

Requires completion of motorcycle safety course to obtain a temporary instruction permit for motorcycle endorsement.

In House Transportation Committee

Graduated Driver License

HB 4600 (Rep. Gaffney)

Prohibits first-year drivers from having more than one passenger (excluding family members) in vehicle, **unless they have a note from their parents, or their parent is in the vehicle.**

Passed House, In Senate Transportation Committee

Minor In Possession of Alcohol

SB 637 (Sen. George)

Clarifies definition of minor in possession of alcohol as presence of alcohol in the body and modifies penalties for minors in possession to create possibility of 30 days imprisonment.

Passed Senate, on floor of House

SB 766

DLEG lead

(Sen. VanWoerkom)

Revises penalties for juveniles violating possession of alcohol probation to allow for jail time of up to 90 days.

Referred to Senate Judiciary

HB 5033 (Rep. Stakoe)

Increases penalties for minors purchasing or possessing alcohol, allow for jail sentence if they do not complete conditions of probation.

Referred to House Criminal Justice Committee, testimony taken, but bill not acted on

HB 4819 (Rep. Adamini)

Presence of alcohol in the body of a minor constitutes violation MIP statute.

Passed House, referred to Senate Judiciary Committee

Speed Limits

HB 4262 (Rep. Anderson)

Establishes speed limit in condominium developments at 15 miles per hour.
In House Transportation Committee – testimony taken, but bill not acted on

HB 4135 (Rep. Bieda)

Increases penalties for violation of speed restrictions in residential zones.
In House Transportation Committee – testimony taken, but bill not acted on

Restraints / Passenger Safety

HB 4200 (Rep. Kolb)

Requires child safety seats for children 80 pounds or less.
In House Transportation Committee no action since introduction

DCH Lead

HB 4210 (Rep. Kolb)

Provides for waiver of fines for certain child car restraint system violations if person has an explanation. (adds 80 pounds or less requirement to current waiver statute)
In House Transportation Committee no action since introduction

DCH Lead

HB 5007 (Rep. Huizenga)

Defines frequent stops exemption to wearing a seat belt as a series of stops with at least one stop in the series for every mile of travel.
In House Transportation Committee no action since introduction

MDOT Lead

SB 321 (Sen. Cropsey)

Provides exceptions to requirement of wearing motorcycle crash helmet if person is 21 years of age or older and has been licensed to operate a motorcycle for two or more years or has successfully completed a motorcycle safety course. Similar to HB 4235
In Senate Transportation Committee

DCH Lead

HB 4325 (Rep. Drolet)

Provides exceptions for requirement of wearing a crash helmet on a motorcycle if person is 21 years of age or older, has been licensed to operate a motorcycle for not less than two years and has successfully completed a motorcycle safety course.
In House Transportation Committee – Testimony taken, but not voted on

DCH Lead

SB 728 (Sen. Cherry)

Prohibits breastfeeding a child while operating a motor vehicle. Still permits exemption in child restraint requirements for a nursing child as long as the nursing mother is the passenger of the vehicle.
Referred to Senate Transportation Committee

DCH Lead

SB 882 (Sen. Hammerstrom)

Requires child restraint safety seat to be in rear seat if vehicle has rear seat and removes nursing child exemption from Michigan Vehicle Code.
Referred to Senate Transportation Committee

Truck Length/Width/Weight

HB 4358 (Rep. DeRossett)

Increases truck length limit to 65 feet from 59 feet.
In House Transportation Committee no action since introduction

MDOT Lead

SB 213 (Sen. Allen)

Revises vehicle size under tie-down requirements for trucks hauling logs or tubular products.

MDOT Lead

In Senate Transportation Committee

SB 736 (Sen. Jelinek)

MDOT Lead

Limits width restriction for flatbed trailers at 102 inches, includes them in the width restriction for a bus, trailer coach, motor home, and camper.

In Senate Transportation Committee

HB 5325 (Rep. Casperson)

MDOT Lead

Permits exemption from road weight restrictions during frost periods for septic waste haulers.

In House Transportation Committee

Construction Zone

SB 720 (Sen. Johnson)

MDOT Lead

Creates definition of "work zone" as an area of a street or highway in which construction, maintenance or utility work activities are being conducted. Includes area between first sign indicating a work area and "end road work" sign.

In Senate Transportation Committee

HB 5089 (Rep. Acciavatti)

MDOT Lead

Creates definition of "work zone" as an area of a street or highway in which construction, maintenance or utility work activities are being conducted. Includes area between first sign indicating a work area and "end road work" sign.

Enrolled, awaiting presentation to the Governor

HB 5053 (Rep. Amos)

MDOT Lead

Creates "no passing" area as being within one mile of a lane closure when approaching a construction zone.

In House Transportation Committee

HB 5173 (Rep. Acciavatti)

Eliminates requirement that underlying moving violation have criminal penalties in crime of injuring or causing death to worker in a construction zone.

Enrolled, awaiting presentation to the Governor

Miscellaneous

SB 332 (Sen. Thomas)

Prohibits and provides penalties and sanctions for aggressive driving (180-day misdemeanor, 30 license suspension).

In Senate Judiciary Committee no action since introduction

HB 4864 (Rep. Minore)

Provides for pilot program to install unmanned traffic monitoring devices to record images of traffic violations at intersections.

In House Transportation Committee no action since introduction

HB 4887 (Rep. Pastor)

Includes **road service vehicle** in authorized emergency vehicle definition while assisting in an emergency at the request of a police agency (applies only to 257.6753a "Move Over Law").

Passed House, In Senate Transportation Committee

HB 4274 (Rep. Ehardt)

Dept. of Ed. Lead

Revises construction of door handle assembly on back door of school buses.

In House Transportation Committee no action since introduction

SB 682 (Sen. Cherry)

Revises traffic violations to assess two points for window tinting violations, non-dismissable violation.
In Senate Transportation Committee

HB 5101 (Rep. Amos)

Revises penalties for window tinting violations to include a two-point penalty.
In House Transportation Committee

HB 5094 (Rep. Murphy)

MDOT Lead

Requires crosswalks within 200 yards of a school where the speed limit is 25 mph or higher.
In House Transportation Committee

HB 5107 (Rep. Ruth Johnson)

MDOT Lead

Requires context-sensitive highway design that preserves community, scenic, aesthetic, historic and natural resources, while maintaining safety and mobility.
In House Land Use and Environment Committee

SB 842 (Rep. Stamas)

Prohibits and provides penalties for selling, possessing or using a traffic light changer device. Misdemeanor for possession, 2-year felony for use/sale, 5-year felony for use resulting in a traffic crash, 10-year felony for use resulting in serious injury, 15-year felony for use resulting in death.
Passed Senate, in House Transportation Committee

HB 5364 (Rep. Daniels)

Governor's Office Lead

Creates civil infraction offense of abandoning a vehicle. Provides that last registered owner is presumed responsible for an abandoned vehicle, allows recover of 'reasonable costs' by wrecker service, etc.
In House Transportation Committee