

## SUMMARY OF TRAFFIC SAFETY LEGISLATION FOR GTSAC 10-22-04

MSP is the Lead Agency unless otherwise noted

### Drunk Driving Legislation

**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*

**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 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*

**HB 6276** (Rep. Voorhees)

**DLEG Lead**

**Requires establishments with on-premises liquor licenses to install self-operated breath testing equipment.**

*In House Regulatory Reform Committee*

**HB 6134** (Rep. Stahl)

**DLEG Lead**

**Requires that people who are convicted of an alcohol related offense be issued a portrait designed driver's license.**

*In House Regulatory Reform Committee*

**HB 6135** (Rep. Stahl)

**DLEG Lead**

**Requires that people who are convicted of alcohol related offenses be issued a portrait designed state identification card.**

*In House Regulatory Reform 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 1<sup>st</sup> offense, 90 days for 2<sup>nd</sup> offense, 1 year for 3<sup>rd</sup> or subsequent offense

*In Senate Judiciary Committee – no action since introduction*

**SB 613** (Sen. Jacobs)

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

*Referred to Senate Education Committee – no action since introduction*

**Dep. of Education Lead**

**HB 4209** (Rep. Hardman)

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

*In House Education Committee – no action since introduction*

**Dep. of Education Lead**

**SB 555** (Sen. Patterson)

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*

**Governor's Legal Council**

**HB 5327** (Rep. Ward)

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

*In House Transportation Committee*

**SB 1139** (Sen. Switalski)

Requires publication of annual statistical report for driving on a suspended or revoked license including fatalities with conviction, requires report to be delivered to newspapers in the state free of charge. Places responsibility with State Police.

*In Senate Transportation Committee*

**HB 6040** (Rep. Accavitti)

Requires the Secretary of State to administer a written exam when renewing a driver license. (not less than once every 8 years)

*In House Transportation*

### Graduated Driver License

**HB 4600** (Rep. Gaffney)

Prohibits first-year drivers from having more than one passenger (excluding family members) in vehicle, unless their parent is in the vehicle, or they have a passenger at least 21-years old.

*Passed House, Defeated in the Senate (10-06-04)*

**HB 5950** (Rep. Wenke)

Prohibits an individual in the graduated license program from driving with adult who is over the legal alcohol limit.

*In House Criminal Justice Committee*

**HB 5951** (Rep. Wenke)

Prohibits an adult over the legal alcohol limit from riding with a driver fulfilling his or her graduated driver license program requirement.

*In House Criminal Justice 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*

**HB 5777** (Rep. Whitmer)

**MDOT Lead**

Requires input by city councils in setting speed limits if a state trunk line highway is within the limits of the city.

*In House Transportation Committee*

**HB 5944** (Rep. Palmer)

**MDOT Lead**

Allows a township to reduce speed limit to 25 miles per hour on unpaved roads within the township if an investigation finds the speed limit is greater than is reasonable or safe under the road conditions.

*In House Transportation Committee*

**HB 6067** (Rep. Woronchak)

Eliminates provision in Michigan Vehicle Code regarding forfeiture of right-of-way for unlawful speeding.  
*In House Transportation Committee*

**HB 6224** (Rep. Jamnick)

**Establishes the speed limit on unpaved roads at 45 miles per hour.**

*In House Transportation Committee*

### Restraints / Passenger Safety

**HB 4200** (Rep. Kolb)

**DCH Lead**

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

**HB 4210** (Rep. Kolb)

**DCH Lead**

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*

**HB 5007** (Rep. Huizenga)

**MDOT Lead**

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*

**SB 321** (Sen. Cropsey)

**DCH Lead**

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*

**HB 4325** (Rep. Drolet)

**DCH Lead**

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*

**SB 728** (Sen. Cherry)

**DCH Lead**

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*

**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.

*Passed Senate, referred to House Transportation Committee*

**SB 993** (Sen. Kuipers)

Provides for two points to be assessed for seat belt and child restraint violations.

*In Senate Transportation Committee, **testimony taken but not voted on 09/28/04***

**SB 994** (Sen. Birkholz)

Removes seat belt exemption for motor vehicles transporting more children between ages 4 and 16 than there are seat belts.

*In Senate Transportation Committee, **testimony taken but not voted on 09/28/04***

**SB 995** (Sen. George)

Provides for waiver of fines for child car restraint system violations for driver that provides court proof of purchase of child restraint system before court date.

*In Senate Transportation Committee, **testimony taken but not voted on 09/28/04***

**SB 996** (Sen. Basham)

Increases fines for violation of child restraint law to \$80.

*In Senate Transportation Committee, **testimony taken but not voted on 09/28/04***

**SB 997** (Sen. McManus)

Requires the use of child safety restraint system for children 4 years of age or more, weighing between 40 and 80 pounds and under four feet, nine inches in height.

*In Senate Transportation Committee, **testimony taken but not voted on 09/28/04***

**Truck Length/Width/Weight**

**HB 4358** (Rep. DeRossett)

Increases truck length limit to 65 feet from 59 feet and changes fine structure for weight violations.

***Passed House, on Floor of Senate***

**MDOT Lead**

**SB 213** (Sen. Allen)

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

*In Senate Transportation Committee*

**MDOT Lead**

**SB 736** (Sen. Jelinek)

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

*Passed Senate referred to House Transportation Committee*

**MDOT Lead**

**HB 5325** (Rep. Casperson)

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

*In House Transportation Committee*

**MDOT Lead**

**HB 5406** (Rep. Sheltrown)

Increases gross carrier vehicle weight or gross combination weight rating or actual gross combination weight to 26,001 or more pounds from 10,001 or more pounds.

*In House Transportation Committee*

**MDOT Lead**

**SB 1419** (Sen. Brater)

**Modifies requirements for covering contents of trucks, requires tarp to be secured at all four corners.**

***In Senate Transportation Committee***

**MDOT Lead**

### Construction Zone

**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 5926** (Rep. Vagnozzi)  
Establishes a "no passing in merge zone" area for traffic merging at construction sites on freeways.  
*In House Transportation Committee*

**HB 6209 (Rep. Accavitti) MDOT Lead**  
**Requires the use of headlights while operating a motor vehicle in a work zone.**  
*In House Transportation Committee*

### 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 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 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.  
*Passed House, on floor of Senate*

**HB 5402** (Rep. Pastor)  
Prohibits driving while holding an animal in lap.  
*In Senate Transportation Committee*

**HB 5430** (Rep. Richardville)  
Requires the use of headlights during periods of precipitation.  
*In House Transportation Committee*

**HB 5585** (Rep. Spade)  
Prohibits radar jamming devices in vehicles.  
*In House Transportation Committee*

**HB 5707** (Rep. Wenke)  
Includes driving while fatigued in definition of reckless driving for the purposes of charging someone with negligent homicide.  
*In House Criminal Justice Committee*

**HB 5722** (Rep. Woodward)

Creates new Penal Code violation for driving while fatigued causing death. Defines fatigued as not having slept for 24-hours or more.

*In House Criminal Justice Committee*

**HB 5842** (Rep. Stakoe)

Eliminates requirement for prosecution to show proof that a driver of a fleeing vehicle has knowledge of causing injuries.

*Passed House, Referred to Senate Judiciary*

**HB 5916** (Rep. Rivet)

Requires any vehicle traveling at less than the normal speed of traffic to travel in the right-hand lane or as close to the right-hand curb or edge of the roadway as possible.

*In House Transportation Committee*

**HB 5967** (Rep. Stakoe)

Allows enforcement of Michigan vehicle code violations on publicly accessible private roads.

*In House Criminal Justice Committee*

**HB 5968** (Rep. Stakoe)

Omits need for owner consent and contract to confer for authority of local law enforcement to enforce traffic laws on private roads not open to the general public.

*In House Transportation Committee*

**SB 1329** (Sen. Allen)

**MDOT Lead**

Allows operation of snowmobiles on right-of-way of limited access highways.

*On floor of Senate*

**SB 1389** (Sen. Gilbert)

**Prohibits riding a bicycle abreast of another bicycle or certain other vehicles except as otherwise provided for by state law or local ordinance.**

*In Senate Transportation Committee*

**HB 6293** (Rep. Rivet)

**Expands definition of authorized emergency vehicle to include road commission vehicles.**

*In House Transportation Committee*

**HB 6288** (Rep. Robertson)

**MDOT Lead**

**Abolishes certain railroad grade crossings if less than 500 vehicles a day use the crossing.**

*In House Transportation Committee*