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House Bill 4411

Sponsor: Rep. Jan Dolan

Committee: Transportation

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A SUMMARY OF HOUSE BILL 4411 AS INTRODUCED 3-9-89

The bill would amend the Vehicle Code to expand the definition of "handicapper" in the act, provide for better enforcement of handicapper parking laws, and exact stiffer penalties for violators of handicapper parking provisions.

The act allows a police agency or police-designated governmental agency to remove a vehicle from public or private property for a number of different reasons without liability for the cost of removal. The bill would expand this list to include if a vehicle was stopped, standing, or parked illegally in a handicapper-designated parking space. The bill would permit a court to notify a person who had failed to answer one or more parking violation notices or citations issued after March 31, 1981 relative to the handicapper-parking provisions of the code or a local ordinance patterned after the code. If a person failed to answer a citation notice the court would notify the secretary of state of this fact, and the secretary of state would suspend the violator's license or deny that person a license until he or she complied with the act as specified.

The act permits handicappers to obtain a "certificate of identification" for personal use by that person, and also permits a handicapper to apply for and receive, upon payment of a \$5 fee, a duplicate certificate of ID for use by another person to provide transportation to the handicapper. The bill would raise this fee to \$10. The bill specifies that a person who intentionally made a false statement of material fact or committed or attempted to commit deception or fraud on a medical statement attesting to a handicap on an application for a certificate of ID, special registration plate, or handicapper tab would be guilty of a misdemeanor, and could be fined up to \$100. Also, a person who attempted to fraudulently mislead by one or more of the following methods would be guilty of a misdemeanor, and could be fined up to \$100:

--falsely using a handicapper certificate of ID issued by this or another state for the purpose of providing handicapper transportation;

-- altering, modifying, or selling a handicapper certificate of ID issued by this or another state; and

-- making a false statement of material fact to obtain a certificate of ID, a special registration plate, or a handicapper tab.

The bill would permit a law enforcement agency or local unit of government to implement and administer a program to authorize and utilize people other than police officers as volunteers to issue citations for violations of handicapper parking laws. Before doing so, however, the law enforcement agency or local governmental unit would have to implement a program that trained persons to properly issue citations. A person who successfully completed the training program could issue citations under the appropriate governing agency.

House Bill 4411 (3-30-89)

The act provides that a person could be ordered to pay no less than \$20 nor more than \$100 for violating state or local handicapper parking laws. The bill would raise the minimum fine to no less than \$50.

The bill would take effect 90 days after it was enacted.

MCL 257.19a et al.