



**House
Legislative
Analysis
Section**

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MACKINAC BRIDGE POLICE POWERS

House Bill 6287 and 6288
Sponsor: Rep. Bart Stupak
Committee: Transportation

Complete to 11-26-90

A SUMMARY OF HOUSE BILLS 6287 AND 6288 AS INTRODUCED 11-14-90

Public Act 214 of 1952 created the Mackinac Bridge Authority and specifies the authority's duties in operating and maintaining the Mackinac Bridge. Under the act, employees of the bridge authority do not possess general police powers in order to enforce, for instance, traffic laws on the bridge. The Vehicle Code authorizes the state's law enforcement personnel to enforce state and local traffic laws. The bills would amend the acts to grant police powers to certain employees of the bridge authority and would permit a photograph taken of a vehicle on the bridge to be admissible as evidence of a speeding violation that occurred there.

House Bill 6287 would amend Public Act 214 of 1952 (MCL 254.317a) to authorize employees of the Mackinac Bridge Authority who were certified as police officers under the law enforcement officers training council act, and who were authorized by the bridge authority, to do the following:

- * enforce the state's traffic laws on the bridge;
- * enforce the state's general criminal laws if done incidentally to traffic stops made on the bridge;
- * arrest a person who violated a traffic law or a general criminal law (when enforcement occurred incidental to making a traffic stop) on the bridge, or pursuant to a court-issued warrant; and
- * assist other law enforcement agencies at their request.

House Bill 6288 would amend the Vehicle Code (MCL 257.631a and 257.742) to authorize a bridge authority police officer who saw a person commit a traffic violation, which was a civil infraction, on the bridge to stop and detain the violator, make a record check of the person's vehicle, and issue the driver a ticket to appear in court. A bridge officer could pursue, stop, and detain the alleged violator off of the bridge, where the officer could enforce the state's general traffic laws. A ticket for a speeding violation on the bridge could be mailed to the violator if photographic evidence was obtained pursuant to the bill. The ticket would have to be sent not later than two days after the violation occurred.

Under the bill, a photograph taken of a speeding violation that occurred on the bridge would be admissible as evidence if:

- * it showed the violating vehicle's speed and the time, date, and location of the violation;
- * it was taken by a camera which was working according to standards set by the Department of State Police; and
- * the camera operator established that the camera was working properly when the picture was taken.

If a photograph used for evidence did not meet these requirements, it would still be admissible as evidence of a violation on the bridge as otherwise allowed by state law or a court order. In a prosecution under the bill, there would be a rebuttable presumption that the vehicle's registered owner was driving the vehicle. The Department of State Police would have to

House Bills 6287 and 6288 (11-26-90)

promulgate rules setting standards for the use of bridge cameras.