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## STATE PREEMPTION OF LOCAL TRAFFIC FINES

**House Bills 5733 and 5734**  
**Sponsor: Rep. Alvin Kukuk**  
**Committee: Appropriations**

**Complete to 6-26-98**

### **A SUMMARY OF HOUSE BILLS 5733 AND 5734 AS INTRODUCED 4-2-98**

House Bills 5733 and 5734 would require that proceeds of a civil fine imposed by a local authority, for violation of certain local traffic laws that substantially correspond to state laws, be credited to the state's Transportation Economic Development Fund.

House Bill 5733 would amend the Michigan Vehicle Code (MCL 257.605) to create the state preemption for violations of local laws similar to Sections 683 to 714a. Those sections of the code concern the standards for, and proper use of, lights, brakes, horns, mufflers and exhaust systems including noise limitations, windshields, tires, safety belts, bumpers and shock absorbers, child restraint systems, safety glass and plastic, and also flares, flashers and warning equipment.

In House Bill 5733, "local law" is defined to include a local charter provision, ordinance, rule, or regulation.

House Bill 5734 would amend the Motor Carrier Safety Act (MCL 480.21) to establish the state preemption for all civil fines imposed for operating a vehicle with a serious safety defect levied under an ordinance or resolution similar to Section 7b. Section 7b of the act sets a fine of not more than \$300 for operation of a bus, truck, truck tractor, trailer, or certain other motor vehicles with a serious safety defect. Under the act, a "serious safety defect" means a violation relative to brakes, tires, steering, coupling devices, headlights, taillights, brake lights, and turn signals that results in the vehicle being placed out of service.

Analyst: J. Hunault

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