

SENATE BILL NO. 1097

April 30, 1998, Introduced by Senators CISKY, SHUGARS and GAST
and referred to the Committee on Economic Development,
International Trade and Regulatory Affairs.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 675a and 675b (MCL 257.675a and 257.675b),
as amended by 1980 PA 518.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 675a. (1) Except as provided in section 675b involving
2 leased OR RENTAL vehicles, in a prosecution for the violation of
3 a local ordinance or state statute relating to ~~the~~ A standing
4 or ~~parking of a~~ PARKED vehicle, proof that the particular vehi-
5 cle described in the complaint was parked in violation of the
6 ordinance or state statute, together with proof ~~—, by~~ verifying
7 ownership of the vehicle with the secretary of state ~~—,~~ that the
8 defendant named in the complaint was at the time of the violation
9 the VEHICLE'S registered owner, ~~of the vehicle,~~ creates in
10 evidence a presumption that the VEHICLE'S registered owner ~~of~~

1 ~~the vehicle~~ was the person who parked or placed the vehicle at
2 the point where ~~—, and for~~ AT the time ~~during which,~~ THAT
3 the violation occurred.

4 (2) This section does not apply to a violation ~~which~~ THAT
5 is a civil infraction.

6 Sec. 675b. (1) In a prosecution for a violation of section
7 675a involving a leased OR RENTED motor vehicle, proof that the
8 particular vehicle described in the citation, complaint, or war-
9 rant was used in the violation, together with proof that the
10 defendant named in the citation, complaint, or warrant was the
11 lessee OR RENTER of the vehicle at the time of the violation,
12 constitutes in evidence a presumption that the lessee OR RENTER
13 of the vehicle, not the registered owner, was the person who
14 parked or placed the vehicle at the point ~~—, and for~~ WHERE AND
15 AT the time ~~during which,~~ THAT the violation occurred.

16 (2) TO BE ELIGIBLE UNDER SUBSECTION (1), THE REGISTERED
17 OWNER OF A RENTAL VEHICLE SHALL PROVIDE THE FOLLOWING TO THE
18 CLERK OF THE COURT ISSUING THE VIOLATION NOT LATER THAN 30 DAYS
19 AFTER THE REGISTERED OWNER HAS RECEIVED NOTICE OF THE PARKING
20 VIOLATION:

21 (A) THE RENTER'S NAME, ADDRESS, AND DRIVER LICENSE NUMBER.

22 (B) A COPY OF THE RENTAL AGREEMENT.

23 (3) THE REGISTERED OWNER OF A RENTAL VEHICLE IS LIABLE UNDER
24 SECTION 675A IF THE REGISTERED OWNER DOES NOT PROVIDE THE INFOR-
25 MATION IN SUBSECTION (2) WITHIN THE 30-DAY PERIOD SPECIFIED IN
26 THAT SUBSECTION.

1 (4) ~~—(2)—~~ This section does not apply to a violation ~~—which—~~
2 THAT is a civil infraction.

3 (5) AS USED IN THIS SECTION, "REGISTERED OWNER OF A RENTAL
4 VEHICLE" MEANS A PERSON IN THE BUSINESS OF RENTING MOTOR
5 VEHICLES.