

## **EXPAND NON-LAW-ENFORCEMENT ISSUANCE OF PARKING TICKETS**

### **House Bill 5624 (Substitute H-1) First Analysis (5-23-00)**

**Sponsor: Rep. Joanne Voorhees  
Committee: Family and Civil Law**

#### ***THE APPARENT PROBLEM:***

To assist local law enforcement agencies, five communities in Kent County have sponsored Retired Senior Volunteer Patrol (RSVP) programs. The senior citizens who volunteer in the programs write citations for those who violate the traffic code by parking in spaces that are clearly marked for disabled people.

In the community of Wyoming, alone, 43 senior volunteers have written more than 2,000 citations for violations of the handicapper parking laws since their program was founded. To prepare for their community service, the volunteer parking enforcement team is educated by city police and officers of the district court, to learn about safe and appropriate vehicle ticketing procedures. The senior volunteers complete a 40-hour training program at the outset of their volunteer experience, and then receive an hour of refresher training each month. The volunteers give over 1,000 hours of assistance monthly, providing the service equivalent to six full-time employees. Their exemplary community work has been recognized by the president's Points of Light Foundation, the governor's Innovative Spirit Award, and other award-granting programs sponsored by the law enforcement community.

Under current law, the volunteers who assist local police to enforce the parking laws may issue citations only for vehicles improperly parked in a space reserved for use by disabled people. They can, then, write citations under three separate provisions of the law, noted below. (See *BACKGROUND INFORMATION*)

As the senior volunteers have undertaken their parking enforcement duties, they have observed that many people park their vehicles temporarily in fire lanes, blocking those lanes to use by emergency fire and rescue vehicles. What's more, when drivers temporarily block the fire access lanes, the volunteers note that they often leave their automobiles running, and sometimes children or pets are left inside the vehicles, unattended. Sensing the potential danger posed by these incidents, the organized volunteers have

suggested to the local chief of police that they also be able to write citations when drivers park their vehicles in fire lanes. Legislation has been introduced to amend the law so they may do so.

#### ***THE CONTENT OF THE BILL:***

Currently there are 26 violations in state law that restrict people from parking in particular places. House Bill 5624 would amend the Michigan Vehicle Code to add an additional violation, to restrict parking in a place or in a manner that blocks access to a space clearly designated as a fire lane.

Further, current law allows a city to authorize people other than police officers to issue and serve citations for violation of its parking ordinances. In addition, a law enforcement unit or a local unit of government may implement and administer a program to authorize people other than police officers to volunteer to issue and serve citations for violating an ordinance reserving parking spaces for persons with disabilities. House Bill 5624 would expand that provision to allow volunteers to issue citations to those who park in fire lanes.

The bill would take effect October 1, 2000.

MCL 257.674, 257.675d and 257.742

#### ***BACKGROUND INFORMATION:***

Currently there are three violations for parking in handicapper spaces that are part of the Vehicle Code. It is a violation for those without proper placard or registrations to park:

- in a parking space clearly identified by an official sign as being reserved for use by disabled persons which is on public property or private property available for public use;

- in a clearly identified access aisle or access lane immediately adjacent to a space designated for parking by persons with disabilities; or
- on a street or other area open to the parking of vehicles that results in the vehicle interfering with the use of a curb-cut or ramp by persons with disabilities.

### ***FISCAL IMPLICATIONS:***

According to the House Fiscal Agency, to the extent that citations for parking violations increased due to this bill, revenue for the various entities which receive funds from the fines and courts costs associated with such citations would increase. Entities that receive revenue from fines under such citations include local units of government, district court funding units, and local and county law libraries. Entities that receive revenue from court costs under such citations include local units of government, district court funding units, the legislative and judicial retirement systems, the Court Equity Fund, and the State Court Fund.

Current guidelines issued by the State Court Administrative Office recommend a fine of \$11 and court costs of \$34 to \$39 for parking violations, other than those written to violators who improperly park in a space reserved for use by disabled people. However, actual fines and court costs vary widely from these guidelines. (4-14-00)

### ***ARGUMENTS:***

#### ***For:***

It should be illegal to park a vehicle in a fire access lane, denying access by fire and emergency vehicles to the buildings the lanes are designed to protect. Further, when drivers park their vehicles in fire access lanes they pose a danger to the community and should be cited. This legislation would make blocking fire access lanes unlawful, and it also would enable local units of government to train citizen volunteers to assist the police as they enforce the new parking law, issuing citations to those who violate it.

### ***POSITIONS:***

The City of Wyoming supports the bill. (5-19-00)

The City of Wyoming Police Department supports the bill. (5-19-00)

The City of Wyoming Retired Senior Volunteer Patrol (RSVP) Program supports the bill. (5-19-00)

Analyst: J. Hunault

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.