




Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 4887 (Substitute H-3 as reported without amendment)  
Sponsor: Representative John Pastor  
House Committee: Transportation  
Senate Committee: Transportation

### **CONTENT**

The bill would amend the Michigan Vehicle Code to include in the definition of "authorized emergency vehicle", for purposes of Section 653a, a road service vehicle giving a visual signal by means of a flashing, rotating, or oscillating red or amber light. "Road service vehicle" would mean a vehicle that was clearly marked and readily recognizable as a vehicle used to assist disabled vehicles. The bill would take effect 90 days after its effective date.

Under Section 653a, upon approaching and passing a stationary authorized emergency vehicle that is giving a visual signal by means of flashing, rotating, or oscillating red, blue, or white lights, the driver of an approaching vehicle must move into a lane at least one moving lane or two vehicle widths apart from the emergency vehicle; or reduce and maintain a safe speed if the roadway does not have at least two adjacent lanes proceeding in the same direction, or the driver cannot move due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic.

Under the Code, a person who does not move over or slow down when approaching and passing a stationary authorized emergency vehicle is guilty of a misdemeanor punishable by a maximum fine of \$500 and/or imprisonment for up to 90 days. If the person injures a police officer, firefighter, or other emergency response personnel in the immediate area of the emergency vehicle, the violator is guilty of a felony punishable by a maximum fine of \$1,000 and/or imprisonment for up to two years. If the person causes the death of a police officer, firefighter, or other emergency response personnel, he or she is guilty of a felony punishable by a maximum fine of \$7,500 and/or imprisonment for up to 15 years.

MCL 257.2

Legislative Analyst: Julie Koval

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government.

To the extent that it would increase the number of offenders convicted of the existing violation by expanding it to cover wreckers and operators of wreckers, the bill could increase State and local corrections costs. Local units of government would incur the additional costs of misdemeanor probation and incarceration in a local facility, which vary by county. The State would incur the cost of felony probation at an average annual cost of \$1,750 and the cost of incarceration in a State facility at an average annual cost of \$27,000.

Date Completed: 2-18-04

Fiscal Analyst: Bethany Wicksall