



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

BILL ANALYSIS



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

Senate Bill 518 (as introduced 9-19-13)
Sponsor: Senator John Proos
Committee: Judiciary

Date Completed: 9-30-13

CONTENT

The bill would amend Chapter 48 (Collection of Penalties, Fines, and Forfeited Recognizances) of the Revised Judicature Act to authorize a court to order the immobilization of a person's motor vehicle for failure to satisfy certain court obligations.

Under Chapter 48, a person who fails to pay a penalty, fee, or costs in full within 56 days after that amount is due and owing is subject to a late penalty equal to 20% of the amount owed, unless it is waived by the court. Penalties, fees, and costs are due and owing at the time they are ordered unless the court directs otherwise. The court must order a specific date on which the penalties, fees, and costs are due and owing. If the court authorizes delayed or installment payments, it must inform the person of the date on which, or time schedule under which, all or a portion of the penalty, fee, or costs will be due and owing.

Under the bill, the court could authorize the traffic control agency of the local unit of government in which the person lived to immobilize the person's motor vehicle until he or she either remitted the full amount owing or became current on installment payments under the court order.

(Under Chapter 48, "penalty" includes fines, forfeitures, and forfeited recognizances. "Fee" means any monetary amount, other than costs or a penalty, that the court is authorized to impose and collect pursuant to a conviction, finding of responsibility, or other adjudication of a criminal offense, a civil infraction, a civil violation, or a parking violation, including a driver license reinstatement fee. "Costs" means any monetary amount that the court is authorized to assess and collect for prosecution, adjudication, or processing of criminal offenses, civil infractions, civil violations, and parking violations, including court costs, the costs of prosecution, and the cost of providing court-ordered legal assistance to the defendant.)

MCL 600.4803

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

To the extent that vehicle immobilization would be effective in causing those who are delinquent in paying penalties, fees, or court costs, to pay in full or become current on an installment plan, the bill would have a positive indeterminate fiscal impact on State and local government.

Fiscal Analyst: Dan O'Connor

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