



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

BILL ANALYSIS



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

House Bill 4160 (Substitute S-4 as reported by the Committee of the Whole)

Sponsor: Representative Shane Hernandez

House Committee: Transportation and Infrastructure

Senate Committee: Transportation

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- Allow a person to solicit contributions on behalf of a charitable or civic organization during daylight hours on a public street or roadway under certain circumstances (listed below).
- Specify that a local government or road authority with jurisdiction over a roadway on which solicitation occurred would not be liable for any claim for damages arising out of the use of the roadway.
- Allow a local government to enact or enforce regulations restricting, but not prohibiting, the solicitation described in the bill, and require a local government that had enacted or was enforcing regulations prohibited under the bill to bring those regulations into compliance with the bill within 60 days after its effective date.

The conditions under which contributions could be solicited in a roadway are as follows:

- The organization would have to comply with applicable local government regulations.
- The organization would have to maintain at least \$500,000 in liability insurance.
- The person soliciting contributions would have to be at least 18 years old.
- The person would have to be wearing high-visibility safety apparel.
- The portion of the roadway where solicitation occurred could not be a work zone and would have to be within an intersection where traffic control devices were present.

"Charitable or civic organization" would mean a nonprofit organization that is qualified under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code, or a veterans' organization that has tax-exempt status under the Code.

Currently, the Michigan Vehicle Code prohibits a person, without authority, from blocking, obstructing, impeding, or otherwise interfering with the normal flow of vehicular or pedestrian traffic upon a public street or highway in the State, by means of a barricade, object, or device, or with his or her own person. A person who violates this provision is responsible for a civil infraction.

MCL 257.676b

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on the State and an indeterminate fiscal impact on local government. Any associated decrease in fine revenue would reduce funding to public libraries. Local governments also could potentially avoid the loss of revenue from lawsuits directed at municipalities due to injury of solicitors.

Date Completed: 6-27-17

Fiscal Analyst: Ryan Bergan

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Bill Analysis @ www.senate.michigan.gov/sfa

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