

**SUBSTITUTE FOR
SENATE BILL NO. 670**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 320a (MCL 257.320a), as amended by 2016 PA
448.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 320a. (1) Within 5 days after receipt of a properly
2 prepared abstract from a court of this state or another state,
3 the secretary of state shall record the date of conviction, civil
4 infraction determination, or probate court disposition, and the
5 number of points for each, based on the following formula, except
6 as otherwise provided in this section and section 629c:

7 (a) Manslaughter, negligent homicide, or a
8 felony resulting from the operation of a motor
9 vehicle, ORV, or snowmobile.....6 points

- 1 (b) A violation of section 601b(2) or (3),
- 2 601c(1) or (2), **602B(7) OR (8)**, or 653a(3) or
- 3 (4) or, beginning October 31, 2010, a violation
- 4 of section 601d.....6 points
- 5 (c) A violation of section 625(1), (4), (5),
- 6 (7), or (8), section 81134 or 82127(1) of the
- 7 natural resources and environmental protection act,
- 8 1994 PA 451, MCL 324.81134 and 324.82127, or a law
- 9 or ordinance substantially corresponding to section
- 10 625(1), (4), (5), (7), or (8), or section 81134
- 11 or 82127(1) of the natural resources and
- 12 environmental protection act, 1994 PA 451,
- 13 MCL 324.81134 and 324.82127.....6 points
- 14 (d) Failing to stop and disclose identity
- 15 at the scene of an accident when required by law.....6 points
- 16 (e) Operating a motor vehicle in violation
- 17 of section 626.....6 points
- 18 (f) Fleeing or eluding an officer.....6 points
- 19 (g) A violation of section 627(6) pertaining
- 20 to speed in a work zone described in that section
- 21 by exceeding the lawful maximum by more than
- 22 15 miles per hour.....5 points
- 23 (h) A violation of any law or ordinance
- 24 pertaining to speed by exceeding the lawful
- 25 maximum by more than 15 miles per hour.....4 points
- 26 (i) A violation of section 625(3) or (6),
- 27 section 81135 or 82127(3) of the natural
- 28 resources and environmental protection act,
- 29 1994 PA 451, MCL 324.81135 and 324.82127,

1 or a law or ordinance substantially corresponding
2 to section 625(3) or (6) or section 81135
3 or 82127(3) of the natural resources and
4 environmental protection act, 1994 PA 451,
5 MCL 324.81135 and 324.82127.....4 points
6 (j) A violation of section 626a or a law
7 or ordinance substantially corresponding to
8 section 626a.....4 points
9 (k) A violation of section 653a(2).....4 points
10 (l) A violation of section 627(6) pertaining
11 to speed in a work zone described in that section
12 by exceeding the lawful maximum by more than 10
13 but not more than 15 miles per hour.....4 points
14 (m) Beginning October 31, 2010, a moving
15 violation resulting in an at-fault collision with
16 another vehicle, a person, or any other object.....4 points
17 (n) Careless driving in violation of section
18 626b or a law or ordinance substantially
19 corresponding to section 626b.....3 points
20 (o) A violation of any law or ordinance
21 pertaining to speed by exceeding the lawful
22 maximum by more than 10 miles per hour but not
23 more than 15 miles per hour.....3 points
24 (p) A violation of any law or ordinance
25 pertaining to speed by exceeding the lawful
26 maximum by more than 5 miles per hour but not
27 more than 10 miles per hour2 points
28 (q) A violation of any law or ordinance
29 pertaining to speed by exceeding the lawful

1 maximum by more than 1 mile per hour but not
2 more than 5 miles per hour.....1 point

3 (r) Disobeying a traffic signal or stop sign,
4 or improper passing.....3 points

5 (s) A violation of section 624a, 624b, or
6 a law or ordinance substantially corresponding to
7 section 624a or 624b.....2 points

8 (t) A violation of section 310e(4) or (6) or
9 a law or ordinance substantially corresponding
10 to section 310e(4) or (6).....2 points

11 (u) All other moving violations pertaining to
12 the operation of motor vehicles reported under
13 this section.....2 points

14 (v) A refusal by a person less than 21 years
15 of age to submit to a preliminary breath test
16 required by a peace officer under section 625a.....2 points

17 (w) A violation of section 627(6) pertaining
18 to speed in a work zone described in that
19 section by exceeding the lawful maximum by
20 10 miles per hour or less.....3 points

21 (2) Points shall not be entered for a violation of section
22 310e(14), 311, 602b(1), 602c, 625m, 658, 710d, 717, 719, 719a, or
23 723.

24 (3) Points shall not be entered for bond forfeitures.

25 (4) Points shall not be entered for overweight loads or for
26 defective equipment.

27 (5) If more than 1 conviction, civil infraction
28 determination, or probate court disposition results from the same

1 incident, points shall be entered only for the violation that
2 receives the highest number of points under this section.

3 (6) If a person has accumulated 9 points as provided in this
4 section, the secretary of state may call the person in for an
5 interview as to the person's driving ability and record after due
6 notice as to time and place of the interview. If the person fails
7 to appear as provided in this subsection, the secretary of state
8 shall add 3 points to the person's record.

9 (7) If a person violates a speed restriction established by
10 an executive order issued during a state of energy emergency as
11 provided by 1982 PA 191, MCL 10.81 to 10.89, the secretary of
12 state shall enter points for the violation under subsection (1).

13 (8) The secretary of state shall enter 6 points upon the
14 record of a person whose license is suspended or denied under
15 section 625f. However, if a conviction, civil infraction
16 determination, or probate court disposition results from the same
17 incident, additional points for that offense shall not be
18 entered.

19 (9) If a Michigan driver commits a violation in another
20 state that would be a civil infraction if committed in Michigan,
21 and a conviction results solely because of the failure of the
22 Michigan driver to appear in that state to contest the violation,
23 upon receipt of the abstract of conviction by the secretary of
24 state, the violation shall be noted on the driver's record, but
25 no points shall be assessed against his or her driver's license.

26 Enacting section 1. This amendatory act takes effect 90 days
27 after the date it is enacted into law.

1 Enacting section 2. This amendatory act does not take effect
2 unless Senate Bill No. 581 of the 99th Legislature is enacted
3 into law.