

Legislative Analysis



VEHICLE CODE SANCTIONS AND PENALTIES

Phone: (517) 373-8080
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House Bill 5853 (proposed substitute H-2)

Sponsor: Rep. Bronna Kahle

Committee: Judiciary

Complete to 9-21-20

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5953 would amend several sections in the Michigan Vehicle Code to change penalties and sanctions for various offenses under the code.

Generally, but not in all cases, the bill would change misdemeanor offenses to civil infractions.

The table on pages 2 to 4 of this summary shows the sections that would be amended by the bill, describes the offense or subject matter for which penalties or sanctions are provided, and describes what those penalties or sanctions currently are and what they would be under the bill.

In addition, the bill would repeal section 905 of the code (MCL 257.905).

The bill would take effect 90 days after its enactment.

MCL 257.208b et seq.

FISCAL IMPACT:

The bill would have no direct fiscal impact on the Department of State.

A full fiscal analysis is in progress.

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

Section	Offense or subject matter	Currently	Under the bill
208b	Driver education provider failing to provide notice to client regarding driving record information	Fine of up to \$500	Civil infraction: civil fine of up to \$100
	Driver training school operator, limo carrier of passengers, or limo driver failing to provide driving record information		
239	Failing or neglecting to properly endorse and deliver a certificate of title	Misdemeanor: fine of up to \$100, imprisonment for up to 90 days, or both	Civil infraction: civil fine of up to \$100
312a	Operating a motorcycle without a motorcycle indorsement	First offense: misdemeanor: fine of up to \$500, imprisonment for up to 90 days, or both Subsequent offense: misdemeanor: fine of up to \$1,000, imprisonment for up to one year, or both	First offense: civil infraction: civil fine of up to \$250 Second offense: misdemeanor: fine of up to \$500, imprisonment for up to one year, or both
325	Allowing unlicensed minor to drive	Misdemeanor: fine of up to \$100, imprisonment for up to 90 days, or both	Civil infraction: civil fine of up to \$100
503	Using or disclosing accident report for purposes of solicitation within 30 days after accident	First offense: misdemeanor: fine of up to \$30,000 Second offense: misdemeanor: fine of up to \$60,000	First offense: civil infraction: civil fine of up to \$500 Second offense: civil infraction: civil fine of up to \$1,000
624b	Knowingly transferring vehicle title to avoid minor-in-possession impoundment	Misdemeanor: fine of up to \$100, imprisonment for up to 90 days, or both	Civil infraction: civil fine of up to \$100

Section	Offense or subject matter	Currently	Under the bill
677a	Improper removal or deposit of snow, ice, or slush in shoulder or roadway	Misdemeanor: fine of up to \$100, imprisonment for up to 90 days, or both	Civil infraction: civil fine of up to \$100
682c	Operating snow removal vehicle without proper lights	Misdemeanor: fine of up to \$500, imprisonment for up to 90 days, or both	Civil infraction: civil fine of up to \$100
698	Selling or providing police or other emergency vehicle lights to an unauthorized person	Misdemeanor: fine of up to \$100, imprisonment for up to 90 days, or both	Civil infraction: civil fine of up to \$100
	Improper use or possession of flashing, oscillating, or rotating lights		
	Activating lights authorized for specified activities while not engaged in the activities authorized (e.g., operating emergency vehicle lights when not responding to an emergency)		
	Operating emergency vehicle outside of terms of authorization		
	Operating private security vehicle with lights activated when vehicle is in motion on a public highway		
	Improper side cowl or running board lamp, backing light, or lamp or reflector	Civil infraction: civil fine of up to \$100	

Section	Offense or subject matter	Currently	Under the bill
707c	Dealer selling a used vehicle that is not in compliance with the Michigan Vehicle Code	Misdemeanor: fine of up to \$100, imprisonment for up to 90 days, or both	Civil infraction: civil fine of up to \$100
	Person operating or dealer selling motor vehicle that violates noise provisions		
	Operating or selling a muffler or exhaust part that violates noise provisions		
	Modifying, replacing, or removing a muffler or exhaust part causing violation of noise provisions or operating a vehicle so equipped		
905	Forging proof of insurance or other evidence of financial responsibility	Misdemeanor: fine of \$100 to \$1,000, imprisonment for up to 90 days, or both	[Repealed]
	Violation of Chapter 5 of the Vehicle Code for which a penalty is not otherwise provided		
	Operating a vehicle or allowing vehicle to be operated while license is revoked or suspended pending proof of insurance or other evidence of financial responsibility	Fine of up to \$500, imprisonment for two days to one year, or both	

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