

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4931

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 605 and 683 (MCL 257.605 and 257.683), section
605 as amended by 1999 PA 267.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 605. (1) This chapter and chapter VIII ~~shall~~ apply
2 uniformly throughout this state and in all political subdivisions
3 and municipalities in the state. A local authority shall not
4 adopt, enact, or enforce a local law ~~, charter provision, ordi-~~
5 ~~nance, rule, or regulation~~ that provides lesser penalties or
6 THAT is otherwise in conflict with this chapter or chapter VIII.

7 (2) A local law ~~, charter provision, ordinance, rule, or~~
8 ~~regulation~~ or portion of a local law ~~, chapter provision,~~
9 ~~ordinance, rule, or regulation imposing~~ THAT IMPOSES a criminal

HB 4931, As Passed Senate, April 6, 2000

House Bill No. 4931 as amended April 6, 2000

2

1 penalty for an act or omission that is a civil infraction under
2 this act, or ~~imposing~~ THAT IMPOSES a criminal penalty or civil
3 sanction in excess of that prescribed in this act, is in conflict
4 with this act and is void to the extent of the conflict.

5 (3) EXCEPT FOR

6 A CASE IN WHICH THE CITATION IS DISMISSED PURSUANT
7 TO SUBSECTION (4), PROCEEDS OF A CIVIL FINE IMPOSED BY A LOCAL
8 AUTHORITY FOR VIOLATION OF A LOCAL LAW REGULATING THE OPERATION
9 OF A COMMERCIAL MOTOR VEHICLE AND SUBSTANTIALLY CORRESPONDING TO
10 A PROVISION OF THIS ACT SHALL BE PAID TO THE COUNTY TREASURER AND
11 ALLOCATED AS FOLLOWS:

12 (A) SEVENTY PERCENT TO THE LOCAL UNIT OF GOVERNMENT IN WHICH
13 THE CITATION IS ISSUED.

14 (B) THIRTY PERCENT FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

15 (4) THE OWNER OR OPERATOR OF A COMMERCIAL MOTOR VEHICLE SHALL
NOT BE ISSUED MORE THAN 1 CITATION FOR EACH VIOLATION OF A CODE OR
ORDINANCE REGULATING THE OPERATION OF A COMMERCIAL MOTOR VEHICLE AND
SUBSTANTIALLY CORRESPONDING TO A PROVISION OF SECTIONS 683 TO 725A
OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.683 TO 257.725A,
WITHIN A 24 HOUR PERIOD. IF THE OWNER OR OPERATOR OF A COMMERCIAL
MOTOR VEHICLE
16 IS ISSUED A CITATION FOR AN EQUIPMENT VIOLATION PURSUANT TO SECTION
17 683 THAT DOES NOT
18 RESULT IN THE VEHICLE BEING PLACED OUT OF SERVICE, THE COURT
19 SHALL DISMISS THE CITATION IF THE OWNER OR OPERATOR OF THAT COM-
20 Mercial Motor Vehicle Provides Written Proof to the Court within
21 14 days after the citation is issued showing that the defective
EQUIPMENT INDICATED IN THE CITATION HAS BEEN REPAIRED.

22 (5) AS USED IN THIS SECTION:

23 (A) "LOCAL LAW" INCLUDES A LOCAL CHARTER PROVISION, ORDI-
24 NANCE, RULE, OR REGULATION.

25 (B) "OUT OF SERVICE" MEANS THAT PROCESS ESTABLISHED UNDER
26 THE MOTOR CARRIER SAFETY ACT, 1963 PA 181, MCL 480.11 TO 480.22.

HB 4931, As Passed Senate, April 6, 2000

House Bill No. 4931 as amended April 6, 2000

3

1 Sec. 683. (1) A person shall not drive or move or the
2 owner shall not cause or knowingly permit to be driven or moved
3 on a highway a vehicle or combination of vehicles which is in
4 such an unsafe condition as to endanger a person, or which does
5 not contain those parts or is not at all times equipped with
6 lamps and other equipment in proper condition and adjustment as
7 required in sections 683 to 714a, or which is equipped in a
8 manner in violation of sections 683 to 714a. A person shall not
9 do an act forbidden or fail to perform an act required under sec-
10 tions 683 to 714a.

11 (2) A police officer on reasonable grounds shown may stop a
12 motor vehicle and inspect the motor vehicle, and if a defect in
13 equipment is found, the officer may issue the driver a citation
14 for a violation of a provision of sections 683 to 714a.

15 (3) IN ORDER TO BE CLASSIFIED AS A MOTOR CARRIER ENFORCEMENT
16 OFFICER, A POLICE OFFICER MUST HAVE TRAINING EQUAL TO THE MINIMUM
17 TRAINING REQUIREMENTS, INCLUDING ANY ANNUAL TRAINING UPDATES,
18 ESTABLISHED BY THE DEPARTMENT OF STATE POLICE FOR AN OFFICER OF THE
19 MOTOR CARRIER DIVISION OF THE DEPARTMENT OF STATE POLICE. A POLICE
20 OFFICER WHO HAS RECEIVED TRAINING EQUAL TO THESE MINIMUM TRAINING
REQUIREMENTS BEFORE THE EFFECTIVE DATE OF THIS SECTION IS CONSIDERED
A MOTOR CARRIER ENFORCEMENT OFFICER FOR PURPOSES OF THIS ACT.

21 (4) ~~(3)~~ Sections 683 to 714a shall not prohibit the use of
22 additional parts and accessories on a vehicle which are not
23 inconsistent with those sections.

24 (5) ~~(4)~~ The provisions of sections 683 to 714a with
25 respect to equipment on vehicles shall not apply to implements of
26 husbandry, road machinery, road rollers, or farm tractors, except
27 as specifically provided in sections 683 to 714a.

HB 4931, As Passed Senate, April 6, 2000

House Bill No. 4931 as amended April 6, 2000

4

1 (6) ~~(5)~~ Except as otherwise provided in section 698 or
2 707d, a person who violates a provision of sections 683 to 714a
3 with respect to equipment on vehicles is responsible for a civil
4 infraction.

5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]

HB 4931, As Passed Senate, April 6, 2000

House Bill No. 4931 as amended April 6, 2000

5

- 1 [Redacted]
- 2 [Redacted]
- 3 [Redacted]
- 4 [Redacted]
- 5 [Redacted]
- 6 [Redacted]
- 7 [Redacted]
- 8 [Redacted]
- 9 [Redacted]
- 10 [Redacted]
- 11 [Redacted]
- 12 [Redacted]
- 13 [Redacted]
- 14 [Redacted]
- 15 [Redacted]
- 16 [Redacted]
- 17 [Redacted]
- 18 [Redacted]
- 19 [Redacted]
- 20 [Redacted]
- 21 [Redacted]
- 22 [Redacted]
- 23 [Redacted]
- 24 [Redacted]
- 25 [Redacted]
- 26 [Redacted]
- 27 [Redacted]

HB 4931, As Passed Senate, April 6, 2000

House Bill No. 4931 as amended April 6, 2000

6

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]

15 Enacting section 1. This amendatory act does not take
16 effect unless all of the following bills of the 90th Legislature
17 are enacted into law:

- 18 (a) House Bill No. 4927.
- 19 (b) House Bill No. 4928.
- 20 (c) House Bill No. 4929.
- 21 (d) House Bill No. 4930.
- 22 (e) House Bill No. 4932.