

HOUSE BILL No. 5854

February 23, 2010, Introduced by Rep. Meadows and referred to the Committee on Judiciary.

A bill to amend 1967 PA 291, entitled

"An act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected,"

by amending section 2a (MCL 390.892a), as amended by 1998 PA 441.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2a. (1) ~~If the violation of a particular provision of the~~
2 ~~ordinance is designated a civil infraction pursuant to section 1,~~
3 ~~the governing board may establish civil sanctions for those civil~~
4 ~~infractions, but a civil fine shall not be more than \$25.00. If the~~
5 ~~governing board establishes civil sanctions for a violation of a~~
6 ~~particular provision of the ordinance designated a civil infraction~~
7 ~~that prohibits parking in a parking space reserved for use by~~
8 ~~persons with disabilities substantially corresponding to section~~

1 ~~674(1)(s) of the Michigan vehicle code, 1949 PA 300, MCL 257.674,~~
2 ~~the governing board shall establish a civil fine of not less than~~
3 ~~\$50.00 or more than \$100.00.~~ **THE GOVERNING BOARD OF A STATE**
4 **UNIVERSITY OR COLLEGE THAT ENACTS AN ORDINANCE UNDER SECTION 1 MAY**
5 **ESTABLISH A CIVIL FINE FOR ANY VIOLATION OF THE ORDINANCE**
6 **DESIGNATED AS A CIVIL INFRACTION BY THE GOVERNING BOARD.**

7 (2) IF A CIVIL INFRACTION INCLUDED IN AN ORDINANCE ENACTED BY
8 THE GOVERNING BOARD OF A STATE UNIVERSITY OR COLLEGE UNDER SECTION
9 1 SUBSTANTIALLY CORRESPONDS TO A PROVISION OF THE MICHIGAN VEHICLE
10 CODE, 1949 PA 300, MCL 257.1 TO 257.923, A CIVIL FINE ESTABLISHED
11 BY THE GOVERNING BOARD FOR THAT INFRACTION SHALL NOT EXCEED THE
12 MAXIMUM CIVIL FINE FOR THE SUBSTANTIALLY CORRESPONDING PROVISION OF
13 THAT ACT DESCRIBED IN SECTION 907 OF THE MICHIGAN VEHICLE CODE,
14 1949 PA 300, MCL 257.907. A civil ~~sanction~~-FINE in excess of ~~that~~
15 **THE AMOUNT** prescribed in **SECTION 907** OF the Michigan vehicle code,
16 1949 PA 300, MCL ~~257.1 to 257.923~~ **257.907**, is in conflict with that
17 act and is void to the extent of the conflict. ~~The ordinance~~

18 (3) **AN ORDINANCE ENACTED UNDER SECTION 1** shall not impose a
19 misdemeanor penalty for an act or omission ~~which~~-**THAT** is a civil
20 infraction under the Michigan vehicle code, 1949 PA 300, MCL 257.1
21 to 257.923.

22 (4) Except as provided in section 3, the violation of a
23 provision designated **AS** a civil infraction in ~~the~~-**AN** ordinance
24 **ENACTED UNDER SECTION 1** shall be processed in the same manner as a
25 civil infraction under the Michigan vehicle code, 1949 PA 300, MCL
26 257.1 to 257.923.