

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4770

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
(MCL 257.1 to 257.923) by adding section 503.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 503. (1) FOR 30 DAYS AFTER THE DATE A MOTOR VEHICLE
2 ACCIDENT REPORT IS FILED WITH A LAW ENFORCEMENT AGENCY, A PERSON
3 MAY ONLY ACCESS THE REPORT IF THE PERSON OR ORGANIZATION FILES A
4 STATEMENT INDICATING THAT FROM THE TIME THE PERSON OR ORGANIZATION
5 IS GRANTED ACCESS TO THE REPORT UNTIL 30 DAYS AFTER THE DATE THE
6 REPORT IS FILED, THE PERSON OR ORGANIZATION ACKNOWLEDGES THAT THE
7 PERSON OR ORGANIZATION IS PROHIBITED FROM DOING EITHER OF THE
8 FOLLOWING:

9 (A) USING THE REPORT FOR ANY DIRECT SOLICITATION OF AN

1 INDIVIDUAL, VEHICLE OWNER, OR PROPERTY OWNER LISTED IN THE REPORT.

2 (B) DISCLOSING ANY PERSONAL INFORMATION CONTAINED IN THE
3 REPORT TO A THIRD PARTY FOR COMMERCIAL SOLICITATION OF AN
4 INDIVIDUAL, VEHICLE OWNER, OR PROPERTY OWNER LISTED IN THE REPORT.

5 (2) A PERSON THAT KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF
6 A CRIME PUNISHABLE AS FOLLOWS:

7 (A) FOR A FIRST VIOLATION, A MISDEMEANOR PUNISHABLE BY A FINE
8 OF NOT MORE THAN \$30,000.00.

9 (B) FOR A SECOND OR SUBSEQUENT VIOLATION, A MISDEMEANOR
10 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF
11 NOT MORE THAN \$60,000.00, OR BOTH.

12 (3) AS USED IN THIS SECTION:

13 (A) "DIRECT SOLICITATION" MEANS "DIRECT SOLICITATION TO
14 PROVIDE A SERVICE" AS THAT TERM IS DEFINED IN SECTION 410B OF THE
15 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.410B.

16 (B) "LAW ENFORCEMENT AGENCY" MEANS ANY OF THE FOLLOWING:

17 (i) THE DEPARTMENT OF STATE POLICE.

18 (ii) THE COUNTY SHERIFF'S OFFICE.

19 (iii) THE POLICE DEPARTMENT OF A LOCAL UNIT OF GOVERNMENT.

20 (C) "LOCAL UNIT OF GOVERNMENT" MEANS A STATE UNIVERSITY OR
21 COLLEGE OR A COUNTY, CITY, VILLAGE, OR TOWNSHIP.

22 (D) "MOTOR VEHICLE ACCIDENT" MEANS AN OCCURRENCE INVOLVING A
23 MOTOR VEHICLE THAT RESULTS IN DAMAGE TO PROPERTY OR INJURY TO AN
24 INDIVIDUAL.

25 (E) "PERSONAL INFORMATION" MEANS INFORMATION THAT IDENTIFIES
26 AN INDIVIDUAL, INCLUDING THE INDIVIDUAL'S NAME, ADDRESS, DRIVER
27 LICENSE NUMBER, SOCIAL SECURITY NUMBER, AND TELEPHONE NUMBER.

1 (F) "REPORT" MEANS A REPORT COMPLETED BY AN OFFICER OF A LAW
2 ENFORCEMENT AGENCY THAT INDICATES THAT A MOTOR VEHICLE ACCIDENT
3 OCCURRED.

4 Enacting section 1. This amendatory act takes effect January
5 1, 2014.

6 Enacting section 2. This amendatory act does not take effect
7 unless House Bill No. 4771 of the 97th Legislature is enacted into
8 law.