

Act No. 218
Public Acts of 2013
Approved by the Governor
December 21, 2013
Filed with the Secretary of State
December 26, 2013
EFFECTIVE DATE: January 1, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Reps. Lipton, Graves, Cotter, Rendon, Schmidt, Hovey-Wright, Slavens, Knezek and Oakes

ENROLLED HOUSE BILL No. 4770

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," (MCL 257.1 to 257.923) by adding section 503.

The People of the State of Michigan enact:

Sec. 503. (1) For 30 days after the date a motor vehicle accident report is filed with a law enforcement agency, a person may only access the report if the person or organization files a statement indicating that from the time the person or organization is granted access to the report until 30 days after the date the report is filed, the person or organization acknowledges that the person or organization is prohibited from doing either of the following:

- (a) Using the report for any direct solicitation of an individual, vehicle owner, or property owner listed in the report.
 - (b) Disclosing any personal information contained in the report to a third party for commercial solicitation of an individual, vehicle owner, or property owner listed in the report.
- (2) A person that knowingly violates this section is guilty of a crime punishable as follows:
- (a) For a first violation, a misdemeanor punishable by a fine of not more than \$30,000.00.
 - (b) For a second or subsequent violation, a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$60,000.00, or both.
- (3) As used in this section:
- (a) "Direct solicitation" means "direct solicitation to provide a service" as that term is defined in section 410b of the Michigan penal code, 1931 PA 328, MCL 750.410b.
 - (b) "Law enforcement agency" means any of the following:
 - (i) The department of state police.
 - (ii) The county sheriff's office.

(iii) The police department of a local unit of government.

(c) "Local unit of government" means a state university or college or a county, city, village, or township.

(d) "Motor vehicle accident" means an occurrence involving a motor vehicle that results in damage to property or injury to an individual.

(e) "Personal information" means information that identifies an individual, including the individual's name, address, driver license number, social security number, and telephone number.

(f) "Report" means a report completed by an officer of a law enforcement agency that indicates that a motor vehicle accident occurred.

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

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor