

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Reps. Tyrone Carter, O'Malley, Allor, Roth and Jones

ENROLLED HOUSE BILL No. 4202

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 manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; 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," by amending section 682 (MCL 257.682), as amended by 2012 PA 263.

The People of the State of Michigan enact:

Sec. 682. (1) The operator of a vehicle overtaking or meeting a school bus that has stopped and is displaying 2 alternately flashing red lights located at the same level shall bring the vehicle to a full stop not less than 20 feet from the school bus and shall not proceed until the school bus resumes motion or the visual signals are no longer actuated. The operator of a vehicle who fails to stop for a school bus as required by this subsection, who passes a school bus in violation of this subsection, or who fails to stop for a school bus in violation of an ordinance that is substantially similar to this subsection, is responsible for a civil infraction.

(2) The operator of a vehicle on a highway that has been divided into 2 roadways by leaving an intervening space, or by a physical barrier, or clearly indicated dividing sections so constructed as to impede vehicular traffic, is not required to stop upon meeting a school bus that has stopped across the dividing space, barrier, or section.

(3) In a proceeding for a violation of subsection (1), proof that the particular vehicle described in the citation was in violation of subsection (1), together with proof that the defendant named in the citation was, at the time of the violation, the registered owner of the vehicle, constitutes a rebuttable presumption that the registered owner of the vehicle was the driver of the vehicle at the time of the violation.

(4) A school bus may be equipped with a stop-arm camera system in accordance with section 20 of the pupil transportation act, 1990 PA 187, MCL 257.1820. A school that uses a stop-arm camera system shall provide a video or photograph recorded by a stop-arm camera system for use as evidence in a proceeding for a violation of subsection (1) if requested by an investigating law enforcement agency. A photograph or video recorded by a stop-arm camera system is admissible as evidence in a proceeding for a violation of subsection (1) to the extent permitted by the rules of evidence of this state. However, a photograph or video recorded by a stop-arm camera system is not required for the prosecution of a violation of subsection (1).

(5) As used in this section:

(a) "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.

(iv) Any other governmental law enforcement agency in this state.

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

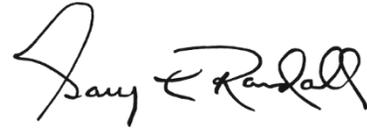
(c) "School" means that term as defined by section 5 of the pupil transportation act, 1990 PA 187, MCL 257.1805.

(d) "Stop-arm camera system" means that term as defined by section 20 of the pupil transportation act, 1990 PA 187, MCL 257.1820.

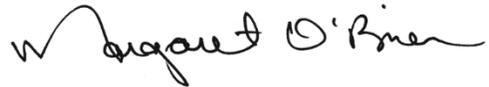
Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4204 of the 101st 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