

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 859 (Substitute S-2 as reported by the Committee of the Whole)
Sponsor: Senator Shirley Johnson
Committee: Transportation and Tourism

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- Permit State and local officials to install and use unmanned traffic monitoring devices at railroad grade crossings on a highway or street in their jurisdictions.
- Specify that a person would be responsible for a civil infraction for violating the Code's requirement that a driver stop at a railroad crossing, on the basis of evidence obtained from an unmanned traffic monitoring device.
- Specify procedures for establishing a violation based on evidence obtained from an unmanned traffic monitoring device.
- Permit a citation for a violation based on evidence obtained from an unmanned traffic monitoring device to be executed by first-class mail and require that a copy of the citation be sent by certified mail-return receipt, if the summoned person failed to appear on the date set in the citation that had been mailed previously.
- Specify that it would be an affirmative defense to a charge of violating the Code's prohibition against driving through, around, or under a crossing gate or barrier of a railroad crossing, that the mechanical warning devices at the crossing were malfunctioning.

Proposed MCL 257.667a

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have an indeterminate impact on the State and local units of government. There would be administrative costs associated with the installation, operation, and maintenance of unmanned traffic monitoring devices at railroad grade crossings on highways or streets. These administrative costs would be borne by the State or local agency electing to install and operate the traffic monitoring devices.

If this bill resulted in additional violations of the Michigan Vehicle Code, it would generate additional revenues for local libraries.

Date Completed: 5-17-00

Fiscal Analyst: C. Thiel