

# Legislative Analysis

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## SNOW PLOW LIGHT & REVERSE SIGNAL

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**House Bill 4146**

**Sponsor: Rep. Jud Gilbert, II**

**Committee: Transportation**

**Complete to 10-4-11**

## A SUMMARY OF HOUSE BILL 4146 AS INTRODUCED 1-26-11

House Bill 4146 would amend the Michigan Vehicle Code to prohibit a person from operating a commercial snow removal vehicle to remove snow or ice on a public street or highway or in a public parking lot unless both of the following applied:

- The vehicle was operated with at least one flashing, rotating, or oscillating yellow or amber light that was clearly visible in a 360-degree arc from a distance of 500 feet when in use.
- The vehicle was operated with a reverse signal alarm that was audible above the surrounding noise level or the vehicle was backed up only when an observer signaled that it was safe to do so. The second requirement would not apply if the vehicle were being operated within 200 feet of a residence between midnight and 7:00 a.m.

A person who owned or leased a commercial snow removal vehicle could not knowingly allow a person to operate it in violation of the bill.

A violation would be a misdemeanor punishable by imprisonment for up to 90 days or a fine of not more than \$500, or both.

The bill would define "commercial snow removal vehicle" as a vehicle equipped with a plow or other device that is used to remove snow or ice for payment or other remuneration. "Person" would mean an individual, partnership, governmental entity, or other legal entity.

An additional provision in the bill specifies that any unauthorized person who operates an authorized emergency vehicle in violation of the terms of authorization is guilty of a misdemeanor punishable by up to 90 days imprisonment or a fine of not more than \$100, or both.

MCL 257.698

## FISCAL IMPACT:

The bill would make operators of commercial snow removal vehicles subject to a misdemeanor penalty in the event of noncompliance with the stated regulations. An

individual found guilty of the proposed misdemeanor would be subject to imprisonment for up to 90 days and a fine of up to \$500.

Because there are no data to indicate how many snow removal vehicles would not comply with these regulations, the bill would have an indeterminate impact on local units of governments. The courts may incur additional costs due to the added caseload related to prosecuting these offenses. Local governments would incur the costs of incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.