



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 1030 (as introduced 3-20-12)
Sponsor: Senator Bruce Caswell
Committee: Transportation

(as enacted)

Date Completed: 4-23-12

CONTENT**The bill would amend the Michigan Vehicle Code to eliminate a provision allowing a vehicle to pass a stopped school bus under certain circumstances.**

Under the Code, the operator of a vehicle overtaking or meeting a school bus that has stopped and is displaying two alternately flashing red lights must bring the vehicle to a full stop at least 20 feet from the school bus and may not proceed until the bus resumes motion or the visual signals are no longer actuated.

At an intersection where traffic is controlled by an officer or a traffic stop-and-go signal, a vehicle does not need to be brought to a full stop before passing a stopped school bus. In this situation, the vehicle may proceed past the bus at a reasonable and proper speed but not more than 10 miles per hour and with due caution for the safety of passengers getting on or off the school bus. The bill would delete these provisions.

A vehicle operator who fails to stop for a school bus as required or passes a school bus in violation of the Code is responsible for a civil infraction. In a proceeding for a violation, proof that the particular vehicle described in the citation was in violation, together with proof that the defendant named in the citation was the registered owner of the vehicle, constitutes in evidence a presumption that the registered owner was the driver of the vehicle at the time of the violation. The bill would refer to a *rebuttable* presumption.

(A violator must be ordered to pay costs of up to \$100 and a civil fine of at least \$100 and not more than \$500. In addition, the person may be ordered to perform up to 100 hours of community service at a school.)

MCL 257.682

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate, but likely minor, fiscal impact on State and local government. By eliminating the exception described above, the bill could result in a marginal increase in civil infraction tickets issued. Violators would pay an average fine of \$177 (ranging from \$100 to \$500), from which the revenue would benefit public libraries. In addition to the fine, a violator would pay court costs and a \$40 Justice System Assessment, which benefits a variety of State entities such as the Highway Safety Fund of the Michigan State Police.

Fiscal Analyst: Dan O'Connor

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.