

HOUSE BILL No. 5997

November 8, 2012, Introduced by Rep. Opsommer and referred to the Committee on Judiciary.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 675d (MCL 257.675d), as amended by 2010 PA 211.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 675d. (1) Except as provided in subsection (2) **AND**
2 **SUBJECT TO SUBSECTIONS (3) AND (4)**, a law enforcement agency or a
3 local unit of government may implement and administer a program to
4 authorize and utilize persons other than police officers as
5 volunteers to issue citations for the following violations:

6 (a) Parking on a sidewalk in violation of section 674(1)(a) or
7 a local ordinance substantially corresponding to section 674(1)(a).

8 (b) Parking in front of a public or private driveway in
9 violation of section 674(1)(b) or a local ordinance substantially
10 corresponding to section 674(1)(b).

11 (c) Parking within 15 feet of a fire hydrant in violation of

1 section 674(1)(d) or a local ordinance substantially corresponding
2 to section 674(1)(d).

3 (d) Parking on a crosswalk in violation of section 674(1)(e)
4 or a local ordinance substantially corresponding to section
5 674(1)(e).

6 (e) Parking within 20 feet of a crosswalk or, if there is not
7 a crosswalk, within 15 feet of the intersection of property lines
8 at an intersection of highways, in violation of section 674(1)(f)
9 or a local ordinance substantially corresponding to section
10 674(1)(f).

11 (f) Parking at a place where an official sign prohibits
12 stopping or parking in violation of section 674(1)(n) or a local
13 ordinance substantially corresponding to section 674(1)(n). This
14 subdivision does not authorize a volunteer to issue a citation for
15 any other violation set forth in section 674 or a local ordinance
16 substantially corresponding to section 674.

17 (g) Parking in a space reserved for use by disabled persons in
18 violation of section 674(1)(s) or a local ordinance substantially
19 corresponding to section 674(1)(s).

20 (h) Parking in an access aisle or access lane immediately
21 adjacent to a space designated for parking by persons with
22 disabilities in violation of section 674(1)(t) or a local ordinance
23 substantially corresponding to section 674(1)(t).

24 (i) Parking in violation of an official sign restricting the
25 period of time for or manner of parking in violation of section
26 674(1)(w) or a local ordinance substantially corresponding to
27 section 674(1)(w). This subdivision does not authorize a volunteer

1 to issue a citation for any other violation set forth in section
2 674 or a local ordinance substantially corresponding to section
3 674.

4 (j) Parking in a space or in a manner that blocks access to a
5 fire lane in violation of section 674(1)(aa) or a local ordinance
6 substantially corresponding to section 674(1)(aa).

7 (2) Before authorizing and utilizing persons other than police
8 officers to issue citations, the law enforcement agency or local
9 unit of government shall implement a program to train the persons
10 to properly issue citations as provided in this section, of which
11 not less than 8 hours shall be in parking enforcement, conducted by
12 that law enforcement agency or the law enforcement agency for that
13 local unit of government or, if the local unit of government does
14 not have a law enforcement agency, by the county sheriff. A person
15 who successfully completes a program of training implemented under
16 this section may issue citations as provided in this section as
17 authorized by the law enforcement agency or local unit of
18 government. A law enforcement agency of a local unit of government
19 shall not implement or administer a program under this section
20 without the specific authorization of the governing body of that
21 local unit of government. A law enforcement agency shall not
22 implement or administer a program under this section that would
23 allow volunteers to issue citations under subsection (1)(a), (b),
24 (c), (d), (e), (f), or (i) for any violations for which the use of
25 volunteers is prohibited under a collective bargaining agreement
26 between that local unit of government and any law enforcement
27 officers of that local unit of government.

(3) NO PART OF THE MONEY GENERATED BY THE PAYMENT OF PARKING VIOLATION CITATIONS DESCRIBED IN THIS SECTION SHALL BE DIRECTED, PAID, OR CREDITED TO THE BENEFIT OF THE INDIVIDUAL WHO ISSUES THE CITATION OR TO ANY AGENCY OR ASSOCIATION OTHER THAN THE LAW ENFORCEMENT AGENCY OR LOCAL UNIT OF GOVERNMENT THAT IMPLEMENTS OR ADMINISTERS A PROGRAM UNDER THIS SECTION. A LAW ENFORCEMENT AGENCY OR LOCAL UNIT OF GOVERNMENT THAT IMPLEMENTS OR ADMINISTERS A PROGRAM UNDER THIS SECTION SHALL NOT OFFER AN INDUCEMENT OF ANY MONETARY VALUE TO A VOLUNTEER OR TO ANY AGENCY OR ASSOCIATION OTHER THAN THE LAW ENFORCEMENT AGENCY OR LOCAL UNIT OF GOVERNMENT TO ISSUE 1 OR MORE PARKING VIOLATION CITATIONS UNDER THIS SECTION.

(4) IF A PERSON WHO RECEIVES A PARKING VIOLATION CITATION ISSUED BY A VOLUNTEER UNDER THIS SECTION PLEADS NOT RESPONSIBLE OR RESPONSIBLE WITH EXPLANATION TO THE CITATION AND REQUESTS A HEARING BEFORE THE COURT OR MAGISTRATE CONCERNING THE CITATION, THE CITATION SHALL BE DISMISSED IF THE VOLUNTEER FAILS TO ATTEND THE SCHEDULED HEARING.

(5) ~~(3)~~—As used in this section:

(a) "Law enforcement agency" means any of the following:

(i) A police agency of a city, village, or township.

(ii) A sheriff's department.

(iii) The department of state police.

(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.