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**BILL ANALYSIS**

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Senate Bill 852 (as discharged)  
Sponsor: Senator Bert Johnson  
Committee: Transportation

**CONTENT**

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

- Allow a city with a population of more than 500,000 to enact an ordinance or adopt a resolution permitting a school district with a pupil membership of more than 30,000 to operate an automated traffic enforcement safety device (ATESD) program and prosecute violations of Section 682 (described below) detected by an ATESD.
- Allow a city that enacted or adopted such an ordinance or resolution to: mail a citation for a violation of Section 682 to the violator if an ATESD produced evidence of the violation; provide for the distribution of money collected for the violation to the school district for specified purposes; and collect a \$100 late fee from an individual found responsible for a civil infraction under Section 682 if he or she did not pay the amount due within the time prescribed by the court.
- Require a person who violated Section 682 to pay a civil fine of \$300 for a first offense, \$500 for a second offense, and \$1,000 for a third offense, instead of a civil fine of between \$100 and \$500, in addition to other costs under the Code.
- Require the Secretary of State to suspend a person's license for an unpaid citation for a violation of Section 682.
- State that any evidence of a civil infraction issued under Section 682 captured by an ATESD would be admissible into evidence as an official record or a business record without the need for additional foundation.

(Section 682 requires a vehicle operator overtaking or meeting a school bus that has stopped and is displaying two alternately flashing red lights to stop his or her vehicle until the school bus resumes motion or the signals are retracted, and prescribes a civil infraction for a person who fails to stop.)

"Automated traffic enforcement safety device" would mean a device that satisfies all of the following:

- Is affixed to a school bus.
- Is capable of detecting a motor vehicle overtaking or passing a school bus in violation of Section 682.
- Is capable of producing a photographically recorded still or video image of the rear of a motor vehicle, or the rear of a motor vehicle being towed, including an image of the vehicle's rear registration plate.
- Indicates with one or more of the images produced the date, time, and location of the violation.

MCL 257.319 et al.

Legislative Analyst: Drew Krogulecki

## **FISCAL IMPACT**

The bill would have no fiscal impact on the State. The bill could have a positive, though limited, fiscal impact on the City of Detroit.

The bill would require the money collected for violations of Section 682 detected by an ATESD, as described above, to be distributed to the school district for payment of a third party vendor for the automated traffic enforcement safety device, with any excess funds to be directed to law enforcement expenses and student safety programs.

The bill would not create new State revenue or costs. The bill could potentially create revenue for the City of Detroit, but only for the specific uses of paying a third party vendor for the cameras, law enforcement expenses for prosecuting the civil infractions, and student safety programs. No data are available on the number of violations of Section 682 that currently occur in Detroit.

In addition, except as provided above for violations detected by an ATESD, the bill could increase revenue to public libraries (which receive civil infraction fines under the Michigan Vehicle Code) by changing the fine for a violation of Section 682 from the current variable of \$100 to \$500, to \$300 for a first offense, \$500 for a second offense, and \$1,000 for a third offense.

Date Completed: 12-5-16

Fiscal Analyst: Michael Siracuse

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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.