



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



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

House Bill 4277 (Substitute S-1 as reported)
House Bill 4278 (Substitute H-3 as reported without amendment)
House Bill 4279 (Substitute H-3 as reported without amendment)
Sponsor: Representative Mari Manoogian (H.B. 4277)
Representative Mike Mueller (H.B. 4278)
Representative Joseph N. Bellino, Jr. (H.B. 4279)
House Committee: Judiciary
Senate Committee: Judiciary and Public Safety

CONTENT

House Bill 4277 (S-1) would amend Section 602b of the Michigan Vehicle Code to do the following:

- Modify provisions prohibiting an individual from texting on a cell phone while operating a motor vehicle to prohibit an individual from using a mobile electronic device while operating a motor vehicle or school bus.
- Specify that the prohibition would not apply beginning five years after the bill's effective date.
- Prescribe situations under which the prohibition described above would not apply, including use of a mobile electronic device for emergency purposes.
- Specify that the prohibition would not apply to the use of a mobile electronic device in a voice-operated or hands-free mode if the operator of the motor vehicle did not use his or her hands to operate the device except under specified circumstances.
- Prohibit an individual from operating a motor vehicle or school bus while accessing, reading, or posting to a social networking site.
- Prohibit an individual from operating a motor vehicle or school bus while viewing, recording, or transmitting a video on a mobile electronic device unless it was being used for the sole purpose of continuously recording or broadcasting video inside or outside of a motor vehicle or school bus.
- Modify penalties for a violation of Section 602b.
- Allow a court to suspend an individual's driver license for up to 90 days if he or she were responsible for three or more civil infractions under Section 602b within a three-year period.
- Allow a law enforcement officer enforcing Section 602b to treat a violation as the primary or sole reason for issuing a citation to a driver.

House Bill 4278 (H-3) would amend the Code to prescribe the number of points assigned to a person's driving record for a second or subsequent violation of Section 602b.

House Bill 4279 (H-3) would amend Section 602c of the Code to do the following:

- Increase, from \$200 to \$250, the civil fine that could be ordered for a second or subsequent offense of Section 602b.

-- Require the Department of State Police (MSP) to submit, forty-two months after the bill's effective date, a report to the Governor and the Legislature that included specified information related to violations of Sections 602b and 602c.

The bills are tie-barred. Each bill would take effect 180 days after its enactment.

MCL 257.602b (H.B. 4277)
257.320a (H.B. 4278)
257.602c et al. (H.B. 4279)

Legislative Analyst: Stephen P. Jackson

FISCAL IMPACT

House Bill 4277 (S-1) and 4279 (H-3) would have an indeterminate fiscal impact on State and local government. Local courts could incur additional costs as a result of increased caseloads from convictions resulting from the bill's proposed changes. Those costs, particularly administrative costs, would depend on the increase in caseloads; therefore, they are indeterminate.

The bills also would result in increased revenue for local libraries. The bills would increase the civil fine for a second offense from \$200 to \$250. Any increase in civil fine revenue would benefit local libraries, which benefit from civil fines. The amount of increased revenue would depend on the number of convictions.

The bill provides for the suspension of an individual's driver license after three or more violations in a three-year period. The Secretary of State charges a fee of \$125 to reinstate a suspended driver license. The amount of additional revenue for the Department of State would depend on the number of violations that resulted suspensions and how many those with suspended licenses eventually sought to have their driver licenses reinstated.

The Department of State Police reports that House Bill 4279 (H-3) would have a minimal fiscal impact on the MSP.

House Bill 4278 (H-3) would have no fiscal impact on State or local government.

Date Completed: 6-29-22

Fiscal Analyst: Bruce R. Baker
Joe Carrasco, Jr.