

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Reps. Filler, Tyrone Carter, Tate and Scott

ENROLLED HOUSE BILL No. 4541

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 42, 46, 48, 49, 63, 69, 618a, 634, 660, 660a, 660d, 673, 674, 675d, and 676b (MCL 257.42, 257.46, 257.48, 257.49, 257.63, 257.69, 257.618a, 257.634, 257.660, 257.660a, 257.660d, 257.673, 257.674, 257.675d, and 257.676b), section 42 as amended by 2016 PA 304, section 618a as amended by 2014 PA 303, section 634 as amended by 1988 PA 346, sections 660 and 660d as amended by 2018 PA 394, section 660a as added by 2006 PA 339, section 674 as amended by 2000 PA 268, section 675d as amended by 2010 PA 211, and section 676b as amended by 2018 PA 75, and by adding sections 63a, 64a, 64b, and chapter VIA.

The People of the State of Michigan enact:

Sec. 42. “Police officer” means any of the following:

- (a) A sheriff or sheriff’s deputy.
- (b) A village or township marshal.
- (c) An officer of the police department of any city, village, or township.
- (d) An officer of the department of state police.
- (e) A peace officer or law enforcement officer who is licensed under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.
- (f) For purposes of enforcing sections 215, 255, 631(1) other than for speed by noncommercial vehicle operators, 717, 719, 719a, 720, 722, 724, 725, and 726, a duly authorized agent of a county road commission meeting the

requirements of section 726c. However, an authorized agent of a county road commission shall only enforce sections 215 and 255 with respect to commercial vehicles. Except as provided in section 726c(2), an authorized agent of a county road commission is not required to be licensed under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, to enforce any law described in this subdivision.

(g) A transit police officer employed by a public body corporate established and maintained pursuant to an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, between a city that is authorized by the laws of this state to appoint or employ law enforcement officers and an authority under the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426, who is licensed under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.

Sec. 46. "Railroad" means a carrier of persons or property on cars operated on stationary rails. Railroad does not include a streetcar or a street railway system.

Sec. 48. "Railroad track" means a stationary rail owned or used by a railroad. Railroad track does not include a stationary rail used by a streetcar or that is part of a street railway system.

Sec. 49. "Railroad train" means an engine or other motor, with or without cars coupled to the engine or motor, operated on railroad tracks.

Sec. 63. "Streetcar" means a car other than a railroad train for transporting persons or property operated on stationary rails, including a streetcar operated as part of a street railway system.

Sec. 63a. "Streetcar track" means a stationary rail owned by a street railway that is part of a street railway system.

Sec. 64a. "Street railway" means that term as defined under section 507 of the recodified tax increment financing act, 2018 PA 57, MCL 125.4507.

Sec. 64b. "Street railway system" means that term as defined under section 507 of the recodified tax increment financing act, 2018 PA 57, MCL 125.4507.

Sec. 69. "Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highway for purposes of travel.

Sec. 618a. (1) Unless the operator of a motor vehicle involved in an accident knows or reasonably should know that serious impairment of a bodily function or death has resulted from the accident, the operator or any other occupant of the motor vehicle who possesses a valid driver license shall remove the motor vehicle from the main traveled portion of the roadway into a safe refuge on the shoulder, emergency lane, or median or to a place otherwise removed from the roadway, and, if the motor vehicle is located in a place that would block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track, away from the streetcar track, if both of the following apply:

(a) Moving the motor vehicle may be done safely.

(b) The motor vehicle is capable of being normally and safely operated and can be operated under its own power in its customary manner without further damage or hazard to the traffic elements or to the roadway.

(2) A person who violates subsection (1) is responsible for a civil infraction.

(3) The operator or any other person who removes a motor vehicle from the main traveled portion of the roadway as provided in this section before the arrival of a police officer is not prima facie at fault regarding the cause of the traffic accident solely by reason of moving the motor vehicle as provided in this section.

(4) The decision of the operator or any other person to remove or not to remove a motor vehicle from the main traveled portion of the roadway as provided in this section is not admissible in a civil action as evidence that a serious impairment of bodily function has or has not resulted from the accident.

(5) A law enforcement agency or police officer may, without the consent of the owner or operator and with the assistance of the state transportation department, other road agencies, fire department, emergency management, other local public safety agencies, street railway, or towing or recovery companies under the direction of any of

those entities remove and dispose of motor vehicles and cargoes of vehicles involved in accidents, including any personal property, from the main traveled portion of a roadway and the right-of-way if the vehicle, cargo, or personal property is blocking the roadway or right-of-way or may otherwise endanger public safety, or from the streetcar track if the motor vehicle, cargo, or personal property is blocking the streetcar track or may delay or interfere with the movement of a streetcar on a streetcar track.

(6) Except as otherwise provided in this subsection, an entity that moves a motor vehicle, cargo, or personal property as described in subsection (5), and any of the entity's officers, employees, or agents, or anyone acting in good faith under, and within the scope of, the authority conferred under subsection (5), is not liable for any damages or claims that may arise from the exercise or the failure to exercise any authority granted under subsection (5). This subsection does not apply to the transport of a motor vehicle from the scene of an accident, or if the conduct of the individual acting under the authority conferred under subsection (5) constitutes gross negligence. As used in this subsection, "gross negligence" means that term as defined in section 606a.

(7) The owner or carrier, if any, of a motor vehicle, cargo, or personal property removed or disposed of under subsection (5) shall reimburse the public agency, departments, street railway, and towing companies, if any, for all documented reasonable costs incurred in that removal and disposal.

Sec. 634. (1) Upon each roadway of sufficient width, the driver of a vehicle shall drive the vehicle upon the right half of the roadway, except as follows:

(a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing that movement.

(b) When the right half of a roadway is closed to traffic while under construction or repair or when an obstruction exists making it necessary to drive to the left of the center of the highway. A driver who is driving on the left half of a roadway under this subdivision shall yield the right-of-way to an oncoming vehicle traveling in the proper direction upon the unobstructed portion of the roadway.

(c) When a vehicle operated by a state agency or a local authority or an agent of a state agency or local authority is engaged in work on the roadway.

(d) Upon a roadway divided into 3 marked lanes for traffic under the rules applicable on the roadway.

(2) Upon a roadway having 2 or more lanes for travel in 1 direction, the driver of a vehicle shall drive the vehicle in the extreme right-hand lane available for travel except as otherwise provided in this section. However, the driver of a vehicle may drive the vehicle in any lane lawfully available to traffic moving in the same direction of travel when the lanes are occupied by a streetcar or vehicles moving in substantially continuous lanes of traffic and in any left-hand lane lawfully available to traffic moving in the same direction of travel for a reasonable distance before making a left turn or to avoid blocking, delaying, or otherwise interfering with the movement of a streetcar on a streetcar track.

(3) This section must not be construed to prohibit a vehicle traveling in the appropriate direction from traveling in any lane of a freeway having 3 or more lanes for travel in the same direction. However, a city, village, township, or county may not enact an ordinance that regulates the same subject matter as any provision of this subsection. The driver of a truck with a gross weight of more than 10,000 pounds, a truck tractor, or a combination of a vehicle and trailer or semitrailer shall drive the vehicle or combination of vehicles only in either of the 2 lanes farthest to the right, except for a reasonable distance when making a left turn or where a special hazard exists that requires the use of an alternative lane for safety reasons.

(4) A person who violates this section is responsible for a civil infraction.

Sec. 660. (1) A person operating an electric personal assistive mobility device, low-speed vehicle, electric skateboard, or moped upon a roadway shall ride as near to the right side of the roadway as practicable, shall exercise due care when passing a standing vehicle or a vehicle proceeding in the same direction, and shall not block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track.

(2) A motorcycle is entitled to full use of a lane, and a motor vehicle must not be driven in such a manner as to deprive a motorcycle of the full use of a lane. This subsection does not apply to motorcycles operated 2 abreast in a single lane or to the operation of a motorcycle in a manner that blocks, delays, or otherwise interferes with the movement of a streetcar on a streetcar track.

(3) A person riding an electric personal assistive mobility device, motorcycle, electric skateboard, or moped upon a roadway shall not ride more than 2 abreast except on a path or part of a roadway set aside for the exclusive use of those vehicles.

(4) Where a usable and designated path for bicycles is provided adjacent to a highway or street, a person operating an electric personal assistive mobility device or electric skateboard may, by local ordinance, be required to use that path.

(5) A person operating a motorcycle, moped, low-speed vehicle, electric personal assistive mobility device, or electric skateboard shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a 2-way street or on the left or right of traffic in the case of a 1-way street, in an unoccupied lane.

(6) A person operating an electric personal assistive mobility device or electric skateboard on a sidewalk constructed for the use of pedestrians shall yield the right-of-way to a pedestrian and shall give an audible signal before overtaking and passing the pedestrian.

(7) A moped, low-speed vehicle, or commercial quadricycle must not be operated on a sidewalk constructed for the use of pedestrians.

(8) A low-speed vehicle or commercial quadricycle must not be operated at a speed of more than 25 miles per hour. A low-speed vehicle must not be operated on a highway or street with a speed limit of more than 35 miles per hour except for the purpose of crossing that highway or street. A commercial quadricycle must not be operated on a highway or street with a speed limit of more than 45 miles per hour except for the purpose of crossing that highway or street. An individual shall not operate a commercial quadricycle that is equipped with a motor unless he or she has a valid operator's license issued under this act. The state transportation department may prohibit the operation of a low-speed vehicle or commercial quadricycle on any highway or street under its jurisdiction if it determines that the prohibition is necessary in the interest of public safety.

(9) This section does not apply to a police officer in the performance of his or her official duties.

(10) An electric personal assistive mobility device must not be operated at a speed of more than 15 miles per hour and must not be operated on a highway or street with a speed limit of more than 25 miles per hour except to cross that highway or street.

(11) An electric skateboard must not be operated at a speed of more than 25 miles per hour. An electric skateboard that does not have handlebars must not be operated on a highway or street with a speed limit of more than 25 miles per hour except to cross that highway or street, and an electric skateboard equipped with handlebars must not be operated on a highway or street with a speed limit of more than 45 miles per hour except to cross that highway or street.

(12) The governing body of a county, a city, a village, an entity created under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or a township may, by ordinance based on the health, safety, and welfare of the citizens, regulate the operation of electric personal assistive mobility devices, electric skateboards, or commercial quadricycles on sidewalks, highways or streets, or crosswalks. Except as otherwise provided in this subsection, a governing body of a county, city, village, entity created under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or township may prohibit the operation of electric personal assistive mobility devices, electric skateboards or commercial quadricycles in an area open to pedestrian traffic adjacent to a waterfront or on a trail under its jurisdiction, in a downtown or central business district, or on a street that includes streetcar tracks. Signs indicating the regulation must be conspicuously posted in the area where the use of an electric personal assistive mobility device, electric skateboard, or commercial quadricycle is regulated.

(13) Operation of an electric personal assistive mobility device or electric skateboard is prohibited in a special charter city and a state park under the jurisdiction of the Mackinac Island State Park commission.

(14) Operation of an electric personal assistive mobility device or electric skateboard may be prohibited in a historic district.

(15) The department of natural resources may by order regulate the use of electric personal assistive mobility devices or electric skateboards on all lands under its control.

Sec. 660a. A person operating a bicycle upon a highway or street at less than the existing speed of traffic shall ride as close as practicable to the right-hand curb or edge of the roadway except as follows:

(a) When overtaking and passing another bicycle or any other vehicle proceeding in the same direction.

(b) When preparing to turn left.

(c) When conditions make the right-hand edge of the roadway unsafe or reasonably unusable by bicycles, including, but not limited to, surface hazards, an uneven roadway surface, drain openings, debris, parked or moving vehicles or bicycles, pedestrians, animals, or other obstacles, or if the lane is too narrow to permit a vehicle to safely overtake and pass a bicycle.

(d) When operating a bicycle in a lane in which the traffic is turning right but the individual intends to go straight through the intersection.

(e) When operating a bicycle upon a 1-way highway or street that has 2 or more marked traffic lanes, in which case the individual may ride as near the left-hand curb or edge of that roadway as practicable.

(f) When riding as close as practicable to the right-hand curb or edge of the roadway would block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track.

Sec. 660d. (1) An individual may park a bicycle or an electric skateboard equipped with handlebars on a sidewalk except as prohibited by an official traffic control device.

(2) An individual shall not park a bicycle or an electric skateboard equipped with handlebars on a sidewalk in such a manner that the bicycle or electric skateboard equipped with handlebars impedes the lawful movement of pedestrians or other traffic.

(3) An individual may park a bicycle or an electric skateboard equipped with handlebars on a highway or street at any location where parking is allowed for motor vehicles, may park at any angle to the curb or the edge of the highway, and may park abreast of another bicycle or electric skateboard equipped with handlebars.

(4) An individual shall not park a bicycle or an electric skateboard equipped with handlebars on a highway or street in such a manner as to obstruct the movement of a legally parked motor vehicle or as to block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track.

(5) Except as otherwise provided in this section, an individual parking a bicycle or an electric skateboard equipped with handlebars on a highway or street shall do so in compliance with this act and any local ordinance.

Sec. 673. (a) If a police officer finds a bicycle or vehicle standing on a highway in violation of the provisions of this chapter or standing on a highway in a manner that would block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track, the police officer may remove the bicycle or vehicle, or require the driver or other person in charge of the bicycle or vehicle to move the bicycle or vehicle, to a position off the paved or improved or main traveled part of the highway, including any portion that includes streetcar tracks.

(b) If a police officer finds a bicycle or vehicle unattended on any highway where the bicycle or vehicle is an obstruction to traffic or unattended on a highway in a manner that would block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track, the police officer may provide for the removal of that bicycle or vehicle to the nearest garage, storage facility, or other place of safety.

(c) The necessary costs for removal under this section are a lien on the bicycle or vehicle and the person into whose custody the bicycle or vehicle is given may retain the bicycle or vehicle until the expenses involved are paid.

Sec. 674. (1) A vehicle must not be parked, except if necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic-control device, in any of the following places:

(a) On a sidewalk.

(b) In front of a public or private driveway.

(c) Within an intersection.

(d) Within 15 feet of a fire hydrant.

(e) On a crosswalk.

(f) Within 20 feet of a crosswalk, or if there is not a crosswalk, then within 15 feet of the intersection of property lines at an intersection of highways.

(g) Within 30 feet of the approach to a flashing beacon, stop sign, or traffic-control signal located at the side of a highway.

(h) Between a safety zone and the adjacent curb or within 30 feet of a point on the curb immediately opposite the end of a safety zone, unless a different length is indicated by an official sign or marking.

(i) Within 50 feet of the nearest rail of a railroad crossing.

(j) Within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within 75 feet of the entrance if properly marked by an official sign.

(k) Alongside or opposite a street excavation or obstruction, if the stopping, standing, or parking would obstruct traffic.

(l) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.

(m) Upon a bridge or other elevated highway structure or within a highway tunnel.

(n) At a place where an official sign prohibits stopping or parking.

(o) Within 500 feet of an accident at which a police officer is in attendance, if the scene of the accident is outside of a city or village.

(p) In front of a theater.

(q) In a place or in a manner that blocks immediate egress from an emergency exit conspicuously marked as an emergency exit of a building.

(r) In a place or in a manner that blocks or hampers the immediate use of an immediate egress from a fire escape conspicuously marked as a fire escape providing an emergency means of egress from a building.

(s) In a parking space clearly identified by an official sign as being reserved for use by disabled persons that is on public property or private property available for public use, unless the individual is a disabled person as described in section 19a or unless the individual is parking the vehicle for the benefit of a disabled person. In order for the vehicle to be parked in the parking space the vehicle must display 1 of the following:

(i) A certificate of identification or windshield placard issued under section 675 to a disabled person.

(ii) A special registration plate issued under section 803d to a disabled person.

(iii) A similar certificate of identification or windshield placard issued by another state to a disabled person.

(iv) A similar special registration plate issued by another state to a disabled person.

(v) A special registration plate to which a tab for persons with disabilities is attached issued under this act.

(t) In a clearly identified access aisle or access lane immediately adjacent to a space designated for parking by persons with disabilities.

(u) On a street or other area open to the parking of vehicles that results in the vehicle interfering with the use of a curb-cut or ramp by persons with disabilities.

(v) Within 500 feet of a fire at which fire apparatus is in attendance, if the scene of the fire is outside a city or village. However, volunteer fire fighters responding to the fire may park within 500 feet of the fire in a manner not to interfere with fire apparatus at the scene. A vehicle parked legally previous to the fire is exempt from this subdivision.

(w) In violation of an official sign restricting the period of time for or manner of parking.

(x) In a space controlled or regulated by a meter on a public highway or in a publicly owned parking area or structure, if the allowable time for parking indicated on the meter has expired, unless the vehicle properly displays 1 or more of the items listed in section 675(8).

(y) On a street or highway in such a way as to obstruct the delivery of mail to a rural mailbox by a carrier of the United States Postal Service.

(z) In a place or in a manner that blocks the use of an alley.

(aa) In a place or in a manner that blocks access to a space clearly designated as a fire lane.

(bb) On a streetcar track or in a manner that blocks, delays, or otherwise interferes with the movement of a streetcar on a streetcar track.

(2) A person shall not move a vehicle not owned by the person into a prohibited area under subsection (1) or away from a curb a distance that makes the parking unlawful.

(3) A bus, for the purpose of taking on or discharging passengers, may be stopped at a place described in subsection (1)(b), (d), or (f) or on the roadway side of a vehicle illegally parked in a legally designated bus loading zone. A bus, for the purpose of taking on or discharging a passenger, may be stopped at a place described in subsection (1)(n) if the place is posted by an appropriate bus stop sign, except that a bus shall not stop at such a place if the stopping is specifically prohibited by the responsible local authority, the state transportation department, or the director of the department of state police.

(4) A person who violates this section is responsible for a civil infraction.

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

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

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

(c) Parking within 15 feet of a fire hydrant in violation of section 674(1)(d) or a local ordinance substantially corresponding to section 674(1)(d).

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

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

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

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

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

(i) Parking in violation of an official sign restricting the period of time for or manner of parking in violation of section 674(1)(w) or a local ordinance substantially corresponding to section 674(1)(w). This subdivision does not authorize a volunteer to issue a citation for any other violation set forth in section 674 or a local ordinance substantially corresponding to section 674.

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

(k) Parking in a manner that blocks, delays, or otherwise interferes with the movement of a streetcar on a streetcar track in violation of section 674(1)(bb) or a local ordinance substantially corresponding to section 674(1)(bb).

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

(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, including, but not limited to, the transit police unit of a public body corporate established and maintained pursuant to an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, between a city that is authorized by the laws of this state to appoint or employ law enforcement officers and an authority under the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426.

(b) "Local unit of government" means a state university or college or a county, city, village, or township.

Sec. 676b. (1) Subject to subsection (2), a person, without authority, shall not block, obstruct, impede, or otherwise interfere with the normal flow of vehicular, streetcar, or pedestrian traffic upon a public street or highway in this state, by means of a barricade, object, or device, or with his or her person. This section does not apply to persons maintaining, rearranging, or constructing public utility or streetcar facilities in or adjacent to a street or highway.

(2) Subsection (1) and any provision of the Michigan Administrative Code that prohibits a person from standing in a roadway other than a limited access highway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle do not apply to a person who is soliciting contributions on behalf of a charitable or civic organization during daylight hours, if all of the following are satisfied:

(a) The charitable or civic organization complies with applicable local government regulations. A local government may enact or enforce regulations restricting, but not prohibiting, the activity described in this subsection.

(b) The charitable or civic organization maintains at least \$500,000.00 in liability insurance.

(c) The person is 18 years of age or older.

(d) The person is wearing high-visibility safety apparel that meets current American standards promulgated by the International Safety Equipment Association.

(e) The portion of the roadway upon which the solicitation occurs is not a work zone and is within an intersection where traffic control devices are present.

(f) The solicitation does not block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track.

(3) A local government or road authority that has jurisdiction over a roadway upon which solicitation occurs as described in subsection (2) is not liable for any claim for damages arising out of the use of the roadway as described in subsection (2).

(4) A person who violates this section is responsible for a civil infraction.

(5) A local government that, on July 27, 2017, has enacted or is enforcing regulations that are prohibited under subsection (2)(a) shall bring those regulations into compliance with subsection (2)(a) no later than September 25, 2017.

(6) As used in this section, “charitable or civic organization” means a nonprofit organization that is qualified under section 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), or 501(c)(10) of the internal revenue code of 1986, 26 USC 501, or a veterans’ organization that has tax-exempt status under the internal revenue code.

CHAPTER VIA STREETCARS

Sec. 790. (1) The driver of a bicycle or vehicle proceeding on a streetcar track in front of a streetcar shall remove the bicycle or vehicle from the streetcar track as soon as practicable after a signal from the operator of the streetcar.

(2) If a streetcar has started to cross an intersection, the driver of a bicycle or vehicle shall not drive on or cross the streetcar track within the intersection in front of the streetcar.

(3) The driver of a bicycle or vehicle, when overtaking and passing a streetcar, shall not turn in front of a streetcar so as to interfere with or impede the movement of the streetcar.

(4) A person who violates this section is responsible for a civil infraction.

Sec. 791. (1) A person shall not do any of the following:

(a) Board or attempt to board a streetcar for a purpose other than purchasing a streetcar fare, unless the person has purchased or is in the process of purchasing the fare or fare medium required by the street railway for the use of the street railway system.

(b) Interfere with the collection or verification of a fare or fare medium for the use of a street railway system.

(c) While on a streetcar or in a station that is part of a street railway system, fail to carry or refuse to provide on request by an officer, employee, or agent of a street railway or police officer, proof of payment of the fare required by the street railway for the use of the street railway system.

(d) Aid another person in violating subdivision (a), (b), or (c).

(2) A person who violates this section is responsible for a civil infraction.

Sec. 791a. (1) Subject to subsection (2), a person shall not enter, remain, occupy, or use a station that is part of a street railway system, including a shared station, for a purpose other than 1 or more of the following:

(a) Waiting for or boarding the next arriving streetcar or other public transit vehicle at a shared station.

(b) Disembarking from a streetcar or other public transit vehicle at a shared station.

(c) Purchasing a fare or fare medium for the use of the street railway system or other public transit system.

(d) Performing an activity that the person is licensed to perform or is authorized to perform under a state permit.

(e) Waiting for up to 10 minutes for another passenger to disembark from a streetcar.

(2) A person violates subsection (1) only after remaining, occupying, or using the station for a period of time that exceeds the period of time necessary for the person to engage in an activity described in subsection (1)(a) to (e).

(3) A person who violates this section is responsible for a civil infraction.

(4) As used in this section, “shared station” means a station that is part of a street railway system and that is used by both a street railway and a public transit provider pursuant to an agreement between the street railway and the public transit provider.

Sec. 791b. (1) A person shall not smoke any substance, use an e-cigarette, carry lighted tobacco, or spit within or on a streetcar or station that is a part of a street railway system.

(2) A person who violates this section is responsible for a civil infraction.

Sec. 791c. (1) A person shall not bring, carry, or transport an animal other than a service animal or qualified animal on a streetcar or in any area of a station used by a street railway system.

(2) A person who violates this section is responsible for a civil infraction.

(3) As used in this section:

(a) "Qualified animal" means an animal that is not more than 25 pounds and is controlled in a cage.

(b) "Service animal" means that term as defined in section 502c of the Michigan penal code, 1931 PA 328, MCL 750.502c.

Sec. 791d. (1) A person 2 years of age or older shall not eat, drink, or carry an open container of food or beverage on a streetcar or within a station that is part of a street railway system.

(2) Subsection (1) does not restrict or otherwise prohibit a nursing mother from nursing her child.

(3) A person who violates this section is responsible for a civil infraction.

Sec. 791e. (1) A person shall not dispose of garbage, papers, gum, refuse, or another form of trash, on a streetcar or in a station that is part of a street railway system, except in receptacles designated for that purpose on the streetcar or in the station.

(2) A person who violates this section is responsible for a civil infraction.

Sec. 791f. A person shall not bring or carry on a streetcar or into a station used by a street railway system either of the following:

(a) A package or other object of a size that cannot be positioned in a manner that permits the passage of persons in the aisle of a streetcar or the entry and exit of persons through the doors of a streetcar, or both.

(b) A commercial shopping cart.

Sec. 791g. (1) A person shall not engage in disruptive conduct that interferes with the operation or safe use of the street railway system, or negatively impacts the functions of officers, employees, or agents of the street railway, or of police officers.

(2) A street railway system may issue a permit for a person to play live music within a station. A person with a permit issued under this subsection may play live music as provided in the permit.

(3) A person who violates this section is responsible for a civil infraction.

Sec. 792. (1) If a street authority determines that a bicycle, vehicle, cargo, or other personal property is parked or standing on a street in a manner that would block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track, the street authority may immediately remove or cause to be removed the bicycle, vehicle, cargo, or personal property from the street to the nearest garage, storage facility, or other place of safety. If the street authority is a street railway, the street railway shall not remove a bicycle, vehicle, cargo, or personal property under this subsection without first obtaining authorization from a police officer or notifying a law enforcement agency. The street authority shall report the place to which a bicycle, vehicle, cargo, or personal property is removed under this subsection to the nearest law enforcement agency as soon as practicable.

(2) A street authority that removes or causes the removal of property under subsection (1), and any of the street authority's officers, employees, or agents, or anyone acting in good faith under subsection (1), and within the scope of, the authority conferred under subsection (1), is not liable for any damages or claims that may arise from the exercise or the failure to exercise any authority granted under subsection (1), except for an act or omission amounting to gross negligence. As used in this subsection, "gross negligence" means that term as defined in section 606a.

(3) The owner or carrier, if any, of a bicycle, vehicle, cargo, or personal property removed pursuant to subsection (1) shall reimburse the street authority for all documented reasonable costs incurred in the removal, storage, and return.

(4) As used in this section:

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

(i) The department of state police.

(ii) The county sheriff's office.

(iii) The police department of a local unit of government.

(iv) The transit police unit of a public body corporate created pursuant to an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, between a city and an authority under the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426.

- (b) "Local unit of government" means a state university or college or a county, city, village, or township.
- (c) "Street authority" means a law enforcement agency or a street railway.

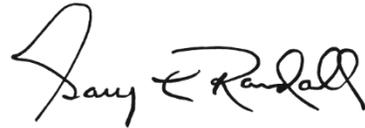
Sec. 793. (1) A law enforcement agency of a public body corporate described in section 792(4)(a)(iv) may grant to a law enforcement officer of that law enforcement agency the same powers, immunities, and authorities granted by law to a peace officer and a police officer to detect crime and to enforce the criminal laws of this state and to enforce state laws, including this act, local ordinances, and any authorized ordinances and regulations of the public body corporate. A copy of the documentation of a grant of authority under this subsection must be filed with the Michigan commission on law enforcement standards created under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.

(2) A law enforcement agency described in subsection (1) may administer a sworn oath of office to a law enforcement officer of that law enforcement agency conferring the power upon the law enforcement officer to administer the general criminal laws of this state.

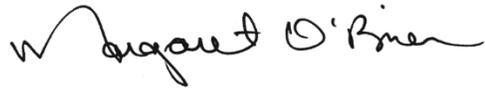
(3) A law enforcement officer granted the authority of a peace officer and a police officer under subsections (1) and (2) is a peace officer of this state with the authority of a police officer of this state provided under this act and as provided under the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69.

(4) A law enforcement agency described in subsection (1) shall submit monthly uniform crime reports pertaining to crimes occurring within the law enforcement agency's jurisdiction to the department of state police in the manner provided under section 1 of 1968 PA 319, MCL 28.251.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor