

SFA

BILL ANALYSIS

Senate Fiscal Agency

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House Bill 4750 (as reported with amendment)

Sponsor: Representative Thomas Scott

House Committee: Judiciary

Senate Committee: State Affairs, Tourism, and Transportation

Date Completed: 4-10-90

RATIONALE

The Federal Communications Commission (FCC) allows various classifications of licensed amateur radio operators to transmit and receive signals on Federally authorized frequency allocations that are shared with police radio services. Michigan law exempts such operators--i.e., those holding a conditional, general, advanced, or extra class amateur license issued by the FCC--from a requirement to obtain a permit from the State Police before having a police band radio in a vehicle. The FCC, however, has revised its classification system, replacing the "conditional" class license currently recognized by Michigan law, with the "technician" class. It has been suggested that Michigan law be amended to make it consistent with the FCC licensing structure.

CONTENT

The bill would amend the Michigan Penal Code, which generally requires a license issued by the Federal Communications Commission or a permit from the State Police for a person to equip a vehicle with a police radio monitor, to replace a reference to a "conditional" license with a reference to a "technician class" license. Further, the bill would provide that the permit requirement, and penalties for failing to comply with the requirement (a maximum fine of \$500, a maximum jail sentence of one year, or both), could not be construed as restricting the use of radar detectors.

MCL 750.508

SENATE COMMITTEE ACTION

The Senate Committee amended the bill to specify that the permit requirement and penalties for failing to comply with the requirement could not be construed as restricting the use of radar detectors.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS**Supporting Argument**

The bill would make a penal code provision regarding amateur radio operators consistent with the classification system employed by the FCC.

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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.

H.B. 4750 (4-10-90)