

Act No. 272
Public Acts of 1990
Approved by the Governor
December 3, 1990
Filed with the Secretary of State
December 3, 1990

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1990**

Introduced by Reps. Varga, Harrison, Stupak, Van Singel, Brown, Wartner, DeMars, Stabenow, Rocca, Spaniola, Stallworth, Jonker, Palamara, Joe Young, Jr., Mathieu, Profit, Joe Young, Sr. and Barns

ENROLLED HOUSE BILL No. 5677

AN ACT to amend section 675 of Act No. 300 of the Public Acts of 1949, entitled as amended "An act to provide for the registration, titling, sale, transfer, and regulation of vehicles operated upon the public highways of this state or any other place open to the general public 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 owners and operators of vehicles and service of process on residents and nonresidents; 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 agencies; 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," as amended by Act No. 89 of the Public Acts of 1989, being section 257.675 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 675 of Act No. 300 of the Public Acts of 1949, as amended by Act No. 89 of the Public Acts of 1989, being section 257.675 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 675. (1) Except as otherwise provided in this section and this chapter, a vehicle stopped or parked upon a highway or street shall be stopped or parked with the wheels of the vehicle parallel to the roadway and within 12 inches of any existing right-hand curb.

(2) A local authority may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within 12 inches of the left-hand curb of a 1-way roadway.

(3) A local authority may by ordinance permit angle parking on a roadway, except that angle parking shall not be permitted on a state trunk line highway.

(4) The state transportation commission with respect to state trunk line highways and the board of county road commissioners with respect to county roads, acting jointly with the director of the department of state police, may place signs prohibiting or restricting the stopping, standing, or parking of vehicles on a highway where in the opinion of the officials as determined by an engineering survey, the stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic on the highway or street. The signs shall be official signs and a person shall not stop, stand, or park a vehicle in violation of the restrictions stated on the signs. The signs shall be installed only after a proper traffic order is filed with the county clerk. Upon the application to the state transportation commission by a home rule city affected by an order, opportunity shall be given to the city for a hearing before the state transportation commission, pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws, except when an ordinance of the home rule city prohibits or restricts the parking of vehicles on a state trunk

line highway; when the home rule city, by lawfully authorized official action, requests the state transportation department to prohibit or restrict parking on a state trunk line highway; or when the home rule city enters into a construction agreement with the state transportation department providing for the prohibition or restriction of parking on a state trunk line highway during or after the period of construction. Traffic control orders, so long as they affect parking upon a state trunk line highway within the corporate limits of a home rule city, are considered "rules" within the meaning of Act No. 306 of the Public Acts of 1969, as amended, and upon application for a hearing by a home rule city, the proceedings before the state transportation commission shall be considered a "contested case" within the meaning of that act.

(5) A handicapper is entitled to receive, and the secretary of state may issue, under the rules and upon the application as the secretary of state prescribes, a serially numbered transferable certificate of identification for the personal use of the handicapper. The rules shall provide that if the handicapper personally applies at a branch office of the secretary of state and if it appears obvious that the handicapper has a qualifying handicap, the handicapper shall not be required to present a medical statement attesting to the handicap. The secretary of state may issue a certificate of identification valid for a period of not less than 1 month to a handicapper who has a temporary handicap or a certificate of identification valid for at least 4 years to a handicapper who has a permanent handicap. An original certificate of identification issued to a handicapper with a permanent handicap shall expire on the handicapper's fifth birthday after the date of issuance. A renewal certificate issued to a permanent handicapper shall expire on the handicapper's fourth birthday after its issuance. A person holding a certificate of identification at any time within 45 days before the expiration of his or her certificate may make application for a new certificate as provided for in this section. However, if the person will be out of state during the 45 days immediately preceding expiration of the certificate or for other good cause shown cannot apply for a certificate within the 45-day period, application for a new certificate may be made not more than 6 months before expiration of the certificate. This new certificate when granted shall expire as provided for in this subsection. Upon application as prescribed by the secretary of state, a handicapper may be issued a duplicate certificate of identification for a fee of \$10.00. The certificate may be used by a person other than the handicapper for the sole purpose of providing transportation to the handicapper. An organization which provides specialized services to handicappers may apply for and receive a handicapper certificate of identification to be used in motor vehicles used by the organization and used to transport handicappers who receive services from the organization. If the organization ceases to provide specialized services to handicappers, the certificate shall be returned to the secretary of state for destruction.

(6) A handicapper holding a certificate of identification, a person having special registration plates issued under section 803d, a person holding a special registration plate to which a handicapper tab is attached issued under section 803f, a handicapper holding a similar certificate of identification from another state, or a person having special handicapper registration plates from another state shall be entitled to courtesy in the parking of a vehicle, including free parking in a metered parking space, which courtesy shall relieve the handicapper or the person transporting the handicapper from liability for a violation with respect to parking, other than in violation of this act. A local authority may, by ordinance, prohibit parking on a street or highway for the purpose of creating a fire lane or to provide for the accommodation of heavy traffic during morning and afternoon rush hours and the privileges extending to veterans and physically handicapped persons under this subsection shall not apply on streets or highways where and at the times the parking is so prohibited.

(7) A certificate of identification issued as provided in subsection (5) shall be displayed on the lower left corner of the front windshield of the vehicle while being parked by or under the direction of a handicapper pursuant to this section. Upon conviction of an offense involving a violation of the special privileges conferred upon holders of the certificates of identification, a magistrate or judge trying the case, as a part of any penalty imposed, may confiscate the serially numbered certificate of identification and return the certificate of identification to the secretary of state together with a certified copy of the sentence imposed. Upon receipt of a certificate of identification from a judge or magistrate, the secretary of state shall destroy the certificate, and the handicapper to whom it was issued shall not receive another certificate until he or she submits a completed application and presents a current medical statement attesting to his or her handicap. A person, other than a handicapper to whom the certificate of identification was issued or a person who used a certificate of identification for the sole purpose of providing transportation to a handicapper, who uses a certificate of identification for the purpose of parking a vehicle as permitted by this subsection is guilty of a misdemeanor, and a law enforcement officer who observes this misuse of a certificate of identification may immediately confiscate the certificate and forward it to the secretary of state, who may return it to the handicapper.

(8) A person who intentionally makes a false statement of material fact or commits or attempts to commit a deception or fraud on a medical statement attesting to a handicap, submitted in support of an application for a certificate of identification or a special registration plate or handicapper tab under this section, section 803d, or section 803f, is guilty of a misdemeanor, punishable by a fine of not more than \$100.00.

(9) A person who commits or attempts to commit a deception or fraud by 1 or more of the following methods is guilty of a misdemeanor punishable by a fine of not more than \$100.00:

(a) Using a handicapper certificate of identification issued under this section or by another state to provide transportation to a handicapper, when the person is not providing transportation to a handicapper.

(b) Altering, modifying, or selling a handicapper certificate of identification issued under this section or by another state.

(c) Making a false statement of material fact to obtain a certificate of identification under this section, a special registration plate under section 803d, or a handicapper tab under section 803f.

(10) Except as otherwise provided in this section, a person who violates this section is responsible for a civil infraction.

This act is ordered to take immediate effect.

.....
Clerk of the House of Representatives.

.....
Secretary of the Senate.

Approved

.....
Governor.