

HOUSE BILL No. 5677

April 10, 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 and referred to the Committee on State Affairs.

A bill to amend section 675 of Act No. 300 of the Public Acts of 1949, entitled as amended
"Michigan vehicle code,"

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:

1 Section 1. Section 675 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 89 of the Public Acts of 1989, being
3 section 257.675 of the Michigan Compiled Laws, is amended to read
4 as follows:

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

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

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

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

1 trunk line highway; when the home rule city, by lawfully
2 authorized official action, requests the state transportation
3 department to prohibit or restrict parking on a state trunk line
4 highway; or when the home rule city enters into a construction
5 agreement with the state transportation department providing for
6 the prohibition or restriction of parking on a state trunk line
7 highway during or after the period of construction. Traffic con-
8 trol orders, so long as they affect parking upon a state trunk
9 line highway within the corporate limits of a home rule city, are
10 considered "rules" within the meaning of Act No. 306 of the
11 Public Acts of 1969, as amended, and upon application for a hear-
12 ing by a home rule city, the proceedings before the state trans-
13 portation commission shall be considered a "contested case"
14 within the meaning of that act.

15 (5) A handicapper is entitled to receive, and the secretary
16 of state may issue, under the rules and upon the application as
17 the secretary of state prescribes, a serially numbered transfer-
18 able certificate of identification for the personal use of the
19 handicapper. The rules shall provide that if the handicapper
20 personally applies at a branch office of the secretary of state
21 and if it appears obvious that the handicapper has a qualifying
22 handicap, the handicapper shall not be required to present a med-
23 ical statement attesting to the handicap. The secretary of state
24 may issue a certificate of identification valid for a period of
25 not less than 1 month to a handicapper who has a temporary handi-
26 cap or a certificate of identification valid for AT LEAST 4 years
27 to a handicapper who has a permanent handicap. AN ORIGINAL

1 CERTIFICATE OF IDENTIFICATION ISSUED TO A HANDICAPPER WITH A
2 PERMANENT HANDICAP SHALL EXPIRE ON THE HANDICAPPER'S FIFTH BIRTH-
3 DAY AFTER THE DATE OF ISSUANCE. A RENEWAL CERTIFICATE ISSUED TO
4 A PERMANENT HANDICAPPER SHALL EXPIRE ON THE HANDICAPPER'S FOURTH
5 BIRTHDAY AFTER ITS ISSUANCE. A PERSON HOLDING A CERTIFICATE OF
6 IDENTIFICATION AT ANY TIME WITHIN 45 DAYS BEFORE THE EXPIRATION
7 OF HIS OR HER CERTIFICATE MAY MAKE APPLICATION FOR A NEW CERTIFI-
8 CATE AS PROVIDED FOR IN THIS SECTION. HOWEVER, IF THE PERSON
9 WILL BE OUT OF STATE DURING THE 45 DAYS IMMEDIATELY PRECEDING
10 EXPIRATION OF THE CERTIFICATE OR FOR OTHER GOOD CAUSE SHOWN
11 CANNOT APPLY FOR A CERTIFICATE WITHIN THE 45-DAY PERIOD, APPLICA-
12 TION FOR A NEW CERTIFICATE MAY BE MADE NOT MORE THAN 6 MONTHS
13 BEFORE EXPIRATION OF THE CERTIFICATE. THIS NEW CERTIFICATE WHEN
14 GRANTED SHALL EXPIRE AS PROVIDED FOR IN THIS SUBSECTION. Upon
15 application as prescribed by the secretary of state, a handicap-
16 per may be issued a duplicate certificate of identification for a
17 fee of \$10.00. The certificate may be used by a person other
18 than the handicapper for the sole purpose of providing transpor-
19 tation to the handicapper. A nonprofit organization which pro-
20 vides specialized services to handicappers may apply for and
21 receive a handicapper certificate of identification to be used in
22 motor vehicles used by the organization and used to transport
23 handicappers who receive services from the organization. If the
24 organization ceases to provide specialized services to handicap-
25 pers, the certificate shall be returned to the secretary of state
26 for destruction.

1 (6) A handicapper holding a certificate of identification, a
2 person having special registration plates issued under section
3 803d, a person holding a special registration plate to which a
4 handicapper tab is attached issued under section 803f, a handi-
5 capper holding a similar certificate of identification from
6 another state, or a person having special handicapper registra-
7 tion plates from another state shall be entitled to courtesy in
8 the parking of a vehicle, including free parking in a metered
9 parking space, which courtesy shall relieve the handicapper or
10 the person transporting the handicapper from liability for a vio-
11 lation with respect to parking, other than in violation of this
12 act. A local authority may, by ordinance, prohibit parking on a
13 street or highway for the purpose of creating a fire lane or to
14 provide for the accommodation of heavy traffic during morning and
15 afternoon rush hours and the privileges extending to veterans and
16 physically handicapped persons under this subsection shall not
17 apply on streets or highways where and at the times the parking
18 is so prohibited.

19 (7) A certificate of identification issued as provided in
20 subsection (5) shall be displayed on the lower left corner of the
21 front windshield of the vehicle while being parked by or under
22 the direction of a handicapper pursuant to this section. Upon
23 conviction of an offense involving a violation of the special
24 privileges conferred upon holders of the certificates of identi-
25 fication, a magistrate or judge trying the case, as a part of any
26 penalty imposed, may confiscate the serially numbered certificate
27 of identification and return the certificate of identification to

1 the secretary of state together with a certified copy of the
2 sentence imposed. Upon receipt of a certificate of identifica-
3 tion from a judge or magistrate, the secretary of state shall
4 destroy the certificate, and the handicapper to whom it was
5 issued shall not receive another certificate until he or she sub-
6 mits a completed application and presents a current medical
7 statement attesting to his or her handicap. A person, other than
8 a handicapper to whom the certificate of identification was
9 issued or a person who used a certificate of identification for
10 the sole purpose of providing transportation to a handicapper,
11 who uses a certificate of identification for the purpose of park-
12 ing a vehicle as permitted by this subsection is guilty of a mis-
13 demeanor, and a law enforcement officer who observes this misuse
14 of a certificate of identification may immediately confiscate the
15 certificate and forward it to the secretary of state, who may
16 return it to the handicapper.

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

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

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

5 (b) Altering, modifying, or selling a handicapper certifi-
6 cate of identification issued under this section or by another
7 state.

8 (c) Making a false statement of material fact to obtain a
9 certificate of identification under this section, a special reg-
10 istration plate under section 803d, or a handicapper tab under
11 section 803f.

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