

HOUSE BILL No. 4393

February 26, 1991, Introduced by Rep. Bryant and referred to the Committee on Transportation.

A bill to amend section 321a 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 257.321a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 321a of Act No. 300 of the Public Acts
2 of 1949, as amended by Act No. 89 of the Public Acts of 1989,
3 being section 257.321a of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 321a. (1) A person who fails to answer a citation, or
6 notice to appear in court for violating this act or an ordinance
7 substantially corresponding to this act, or for any matter
8 pending, or who fails to comply with an order or judgment issued
9 pursuant to section 907 is guilty of a misdemeanor, which shall

1 not be considered a violation for any purpose under section
2 320a. Twenty-eight days or more after the date of noncompliance
3 with an order or judgment, the court shall give notice by mail at
4 the last known address of the person that if the person fails to
5 appear within 14 days after the notice the secretary of state
6 shall suspend the person's operator's or chauffeur's license. If
7 the person fails to appear within the 14-day period, the court
8 shall inform the secretary of state within 14 days and the secre-
9 tary of state shall suspend the license of the person and notify
10 the person of the suspension by regular mail at the person's last
11 known address. The suspension shall remain in effect until both
12 of the following occur:

13 (a) The court informs the secretary of state that the person
14 has appeared before the court and all matters relating to the
15 violation or to the noncompliance with section 907 are resolved.

16 (b) The person has paid to the court a \$25.00 driver license
17 reinstatement fee. The increase in the reinstatement fee from
18 \$10.00 to \$25.00 shall be imposed for a license which is sus-
19 pended on or after April 5, 1988 regardless of when the license
20 was suspended.

21 (2) A court shall not notify the secretary of state, and the
22 secretary of state shall not suspend the person's license if the
23 person fails to appear in response to a citation issued for, or
24 fails to comply with a judgment involving 1 or more of the fol-
25 lowing infractions:

26 (a) The parking or standing of a vehicle.

(b) A pedestrian, passenger, or bicycle violation.

(C) A VIOLATION OF SECTION 710E.

(3) A court may notify a person who has done either of the following, that if the person does not appear within 10 days after the notice, the court will inform the secretary of state of this failure:

(a) Failed to answer 2 or more parking violation notices or citations for violating a provision of this act or an ordinance substantially corresponding to a provision of this act pertaining to handicapper parking issued or served after ~~the effective date of the amendatory act that added this subdivision~~ SEPTEMBER 1, 1989.

(b) Failed to answer 6 or more parking violation notices or citations, issued or served after March 31, 1981, regarding illegal parking.

(4) The secretary of state, upon being informed of the failure of a person to appear as provided in subsection (3), shall not issue a license to the person until both of the following occur:

(a) The court informs the secretary of state that the person has resolved all outstanding matters regarding the notices or citations.

(b) The person has paid to the court a \$25.00 driver license reinstatement fee. The increase in the reinstatement fee from \$10.00 to \$25.00 shall be imposed for a license which is suspended on or after April 5, 1988 regardless of when the license was suspended. If the court determines that the person is not

1 responsible for any of the parking violations on the basis of
2 which his or her license was suspended under this subsection, the
3 court shall waive payment of this fee.

4 (5) For the purposes of subsections (1)(a) and (4)(a), the
5 court shall give to the person a copy of the information being
6 transmitted to the secretary of state. Upon showing that copy,
7 the person shall not be arrested or issued a citation for driving
8 on a suspended license on the basis of any matter resolved under
9 subsection (1)(a) or (4)(a), even if the information being sent
10 to the secretary of state has not yet been received or recorded
11 by the department.

12 (6) Sixty percent of the driver license reinstatement fees
13 received under subsections (1)(b) and (4)(b) shall be transmitted
14 by the court to the secretary of state on a monthly basis. The
15 funds received by the secretary of state pursuant to this subsec-
16 tion shall be deposited in the state general fund and shall be
17 used to defray the expenses of the secretary of state in process-
18 ing the suspension and reinstatement of driver licenses under
19 this section.