

Act No. 297
Public Acts of 1993
Approved by the Governor
December 23, 1993
Filed with the Secretary of State
December 28, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Reps. Gnodtke, Nye, Hill, Jersevic, McBryde, Whyman, Bobier, Middaugh, Rhead, Horton, Dalman, Joe Young, Jr., Kaza, Gernaat, Bender, Hammerstrom, Voorhees, Johnson, Hood, Llewellyn, Leland, Kukuk, Brown, Brackenridge, Profit, Dolan, Bullard, Stille, Points, Jaye, Galloway, Shepich and Freeman

ENROLLED HOUSE BILL No. 4767

AN ACT to amend section 3 of Act No. 106 of the Public Acts of 1963, entitled "An act to define, control and prohibit the littering of public and private property and waters; to prescribe penalties for violation of this act; and to repeal certain acts and parts of acts," being section 752.903 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 3 of Act No. 106 of the Public Acts of 1963, being section 752.903 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 3. (1) A person who violates this act is guilty of a misdemeanor and shall be fined not less than \$100.00 or more than \$500.00, and the costs of prosecution, or imprisonment for not more than 90 days, or both. Additionally, the court shall impose, under the supervision of the court, community service in the form of litter-gathering labor, including, but not limited to, litter connected with the particular violation.

(2) Except as provided in subsection (5) involving litter from a leased vehicle or leased vessel, in a proceeding for a violation of this act involving litter from a motor vehicle or vessel, proof that the particular vehicle or vessel described in the citation, complaint, or warrant was used in the violation, together with proof that the defendant named in the citation, complaint, or warrant was the registered owner of the vehicle or vessel at the time of the violation, constitutes in evidence a presumption that the registered owner of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.

(3) The driver of a vehicle or vessel is presumed to be responsible for litter which is thrown, dropped, dumped, deposited, placed, or left from the vehicle or vessel on public or private property, or waters defined in section 1.

(4) For the purpose of this act:

(a) "Vehicle" means every motor vehicle registered under the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, as amended, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

(b) "Vessel" means a vessel registered under the marine safety act, Act No. 303 of the Public Acts of 1967, as amended, being sections 281.1001 to 281.1199 of the Michigan Compiled Laws.

(5) In a proceeding for a violation of this act involving litter from a leased motor vehicle or leased vessel, proof that the particular vehicle or vessel described in the citation, complaint, or warrant was used in the violation, together with proof that the defendant named in the citation, complaint, or warrant was the lessee of the vehicle or vessel at the time of the violation, constitutes in evidence a presumption that the lessee of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.

Co-Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.