



# HOUSE BILL No. 4685

May 4, 1993, Introduced by Reps. Crissman, Voorhees, Goschka, Dalman, Galloway, Hammerstrom, McBryde, Yokich, Schroer, Brown, Martin, Nye, Hill, Vorva, Whyman, Berman, London, Gernaat, Kaza, Horton, Byrum, Johnson, Dolan, Munsell, Middleton, Rhead, Brackenridge, Jaye, Walberg, Curtis, Cropsey, Bobier, Jersevic, Bodem, Middaugh, McNutt, Shugars, Stille, Bullard and Owen and referred to the Committee on Transportation.

A bill to amend section 1 of Act No. 62 of the Public Acts of 1956, entitled as amended

"An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,"

as amended by Act No. 121 of the Public Acts of 1988, being section 257.951 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Section 1. Section 1 of Act No. 62 of the Public Acts of 1956, as amended by Act No. 121 of the Public Acts of 1988, being section 257.951 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 1. (1) A city, township, or village may adopt by reference a code or ordinance for the regulation of traffic within cities, townships, and villages which has been promulgated

1 by the director of the department of state police. The director  
2 of the department of state police may promulgate a uniform traf-  
3 fic code pursuant to the administrative procedures act of 1969,  
4 Act No. 306 of the Public Acts of 1969, as amended, being sec-  
5 tions 24.201 to 24.328 of the Michigan Compiled Laws.

6 (2) A city, township, or village, with the consent of, or at  
7 the request of, a person who is in charge of a private road or  
8 parking lot, whether or not that road or parking lot is open to  
9 the general public, may contract with that person for the city,  
10 township, or village to enforce provisions of the uniform traffic  
11 code or ordinance adopted under this section on that private road  
12 or parking lot. As used in this subsection, "person" means an  
13 individual, corporation, association, partnership, or other legal  
14 entity.

15 (3) A uniform traffic code promulgated by the director of  
16 the department of state police under this section shall specify  
17 whether a person who violates a particular provision of the code  
18 is guilty of a misdemeanor or is responsible for a civil  
19 infraction. The director may establish civil sanctions for civil  
20 infractions, except that a civil sanction in excess of that pre-  
21 scribed in the vehicle code is in conflict with that act and is  
22 void to the extent of the conflict. The uniform traffic code  
23 shall not impose a criminal penalty for an act or omission which  
24 is a civil infraction under the vehicle code.

25 (4) Violation of a provision designated a civil infraction  
26 in the uniform traffic code shall be processed in the same manner  
27 as a civil infraction under the vehicle code.

1 (5) NOTWITHSTANDING THE REQUIREMENTS OF THE UNIFORM TRAFFIC  
2 CODE, A HANDICAPPED PARKING SIGN SHALL BE 12 INCHES BY 18 INCHES  
3 OR LARGER, AND SHALL BE EITHER BLUE OR WHITE AND AT A MINIMUM  
4 CONTAIN THE INTERNATIONAL HANDICAPPED SYMBOL IN CONTRASTING  
5 COLORS OF EITHER BLUE OR WHITE IN THE CENTER OF THE SIGN.

6 (6) ~~-(5)-~~ The provisions of the uniform traffic code promul-  
7 gated pursuant to this act that relate to driving while under the  
8 influence of an alcoholic beverage or driving with impaired abil-  
9 ity shall be identical to the provisions of sections 625 to  
10 ~~-625h-~~ 625M of the Michigan vehicle code, Act No. 300 of the  
11 Public Acts of 1949, as amended, being sections 257.625 to  
12 ~~-257.625h-~~ 257.625M of the Michigan Compiled Laws.

13 (7) ~~-(6)-~~ For purposes of this section, "vehicle code" means  
14 the Michigan vehicle code, Act No. 300 of the Public Acts of  
15 1949, as amended, being sections 257.1 to 257.923 of the Michigan  
16 Compiled Laws.