



HOUSE BILL No. 5686

June 22 1994 Introduced by Rep Byrum and referred to the Committee on Transportation

A bill to amend sections 609 and 675 of Act No 300 of the Public Acts of 1949 entitled as amended Michigan vehicle code section 675 as amended by Act No 104 of the Public Acts of 1994, being sections 257 609 and 257 675 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Sections 609 and 675 of Act No 300 of the
2 Public Acts of 1949 section 675 as amended by Act No 104 of the
3 Public Acts of 1994 being sections 257 609 and 257 675 of the
4 Michigan Compiled Laws, are amended to read as follows

5 Sec 609 (1) ~~(a)~~ The state highway commission shall
6 place ~~or require to be placed~~ and maintain ~~or require to be~~
7 ~~maintained such~~ traffic-control devices ~~, conforming~~ THAT
8 CONFORM to ~~said~~ THE manual and specifications ~~, ADOPTED~~

1 PURSUANT TO SECTION 608 upon all state highways as ~~it shall~~
 2 ~~deem~~ THE STATE HIGHWAY COMMISSION DETERMINES necessary to
 3 ~~indicate and to carry out the provisions of~~ IMPLEMENT this
 4 chapter or to regulate, warn, or guide traffic

5 (2) ~~(b) No~~ EXCEPT AS PROVIDED IN SUBSECTION (3), A local
 6 authority shall NOT place or maintain ~~any~~ A traffic-control
 7 device upon ~~any~~ A trunk line highway under the jurisdiction of
 8 the state highway commissioner ~~except by~~ WITHOUT the latter's
 9 permission or upon ~~any~~ A county road without the permission of
 10 the county road commission having jurisdiction ~~thereof~~ OVER
 11 THAT ROAD With the approval of the STATE TRANSPORTATION depart-
 12 ment, ~~of state highways,~~ the board of county road commissioners
 13 of ~~any~~ A county, at ~~its~~ THAT BOARD S option may install and
 14 maintain uniform traffic-control devices according to the stan-
 15 dards promulgated by the STATE TRANSPORTATION department ~~of~~
 16 ~~state highways~~ and as required by the commission on trunk line
 17 highways, if the cost would be less than that estimated by the
 18 state highway commission ~~, billing~~ A BOARD OF A COUNTY ROAD
 19 COMMISSION THAT COMPLIES WITH THIS SUBSECTION MAY BILL the state
 20 highway commission for its share of the cost of installation

21 (3) A TOWNSHIP MAY INSTALL AND MAINTAIN TRAFFIC-CONTROL
 22 DEVICES REGULATING PARKING ON COUNTY ROADS WITHIN THE TOWNSHIP TO
 23 IMPLEMENT REASONABLE TOWNSHIP PARKING ORDINANCES A TOWNSHIP
 24 ORDINANCE REASONABLY REGULATING PARKING ON A COUNTY ROAD WITHIN
 25 THE TOWNSHIP SUPERSEDES ANY OTHER ORDINANCE REGULATING PARKING ON
 26 THAT ROAD

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

6 (2) A local authority may by ordinance permit parking of a
7 vehicle on a 1-way roadway with the vehicle s left wheels adja-
8 cent to and within 12 inches of any curb existing at the left of
9 the vehicle

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

13 (4) ~~The~~ IN ADDITION TO TOWNSHIP REGULATION OF PARKING PUR-
14 SUANT TO SECTION 609, THE state transportation commission with
15 respect to state trunk line highways and the board of county road
16 commissioners with respect to county roads, acting jointly with
17 the director of the department of state police may place signs
18 prohibiting or restricting the stopping standing, or parking of
19 vehicles on a highway where in the opinion of the officials as
20 determined by an engineering survey the stopping standing, or
21 parking is dangerous to those using the highway or where the
22 stopping standing or parking of vehicles would unduly interfere
23 with the free movement of traffic on the highway or street The
24 signs shall be official signs and a person shall not stop stand,
25 or park a vehicle in violation of the restrictions stated on the
26 signs The signs shall be installed only after a proper traffic
27 order is filed with the county clerk Upon the application to

1 the state transportation commission by a home rule city affected
2 by an order, opportunity shall be given to the city for a hearing
3 before the state transportation commission pursuant to the
4 administrative procedures act of 1969, Act No 306 of the Public
5 Acts of 1969 as amended being sections 24 201 to 24 328 of the
6 Michigan Compiled Laws except when an ordinance of the home rule
7 city prohibits or restricts the parking of vehicles on a state
8 trunk line highway when the home rule city by lawfully autho-
9 rized official action requests the state transportation depart-
10 ment to prohibit or restrict parking on a state trunk line high-
11 way or when the home rule city enters into a construction agree-
12 ment with the state transportation department providing for the
13 prohibition or restriction of parking on a state trunk line high-
14 way during or after the period of construction Traffic control
15 orders, so long as they affect parking upon a state trunk line
16 highway within the corporate limits of a home rule city are con-
17 sidered 'rules' within the meaning of Act No 306 of the Public
18 Acts of 1969, as amended and upon application for a hearing by a
19 home rule city, the proceedings before the state transportation
20 commission shall be considered a contested case' within the
21 meaning of that act

22 (5) After ~~the effective date of the amendatory act that~~
23 ~~added subdivisions (a) through (g) to this subsection~~ OCTOBER 1,
24 1994, a handicapper may apply, on a form prescribed by the secre-
25 tary of state, for a serially numbered nontransferable temporary
26 or permanent windshield placard for the personal use of the
27 handicapper subject to all of the following

1 (a) The secretary of state may issue to a handicapper with a
2 temporary handicap a temporary windshield placard that is valid
3 for a period of not more than 6 months

4 (b) The secretary of state may issue to a handicapper with a
5 permanent handicap an original or renewal permanent windshield
6 placard that is valid for at least 4 years

7 (c) An original certificate of identification or permanent
8 windshield placard shall expire on the handicapper's fifth birth-
9 day after the date of issuance

10 (d) A renewal permanent windshield placard shall expire on
11 the handicapper's fourth birthday after the date of renewal

12 (e) A person holding a certificate of identification or per-
13 manent windshield placard at any time within 45 days before the
14 expiration of his or her certificate or placard may make applica-
15 tion for a new or renewal placard as provided for in this
16 section However if the person will be out of state during the
17 45 days immediately preceding expiration of the certificate or
18 placard or for other good cause shown cannot apply for a placard
19 within the 45-day period, application for a new or renewal plac-
20 ard may be made not more than 6 months before expiration of the
21 certificate or placard A placard issued or renewed under this
22 subdivision shall expire as provided for in this subsection

23 (f) Upon application in the manner prescribed by the secre-
24 tary of state for replacement of a lost stolen or destroyed
25 certificate or placard described in this section a handicapper
26 or organization that provides specialized services to

1 handicappers may be issued a placard that in substance duplicates
2 the original certificate or placard for a fee of \$10 00

3 (g) A certificate or placard described in this section may
4 be used by a person other than the handicapper for the sole pur-
5 pose of transporting the handicapper An organization that pro-
6 vides specialized services to handicappers may apply for and
7 receive a permanent windshield placard to be used in any motor
8 vehicle actually transporting a handicapper If the organization
9 ceases to transport handicappers, the placard shall be returned
10 to the secretary of state for cancellation and destruction

11 (6) A handicapper with a certificate of identification
12 windshield placard, special registration plates issued under sec-
13 tion 803d a special registration plate issued under section 803f
14 that has a handicapper tab attached, a certificate of identifica-
15 tion or windshield placard from another state or special handi-
16 capper registration plates from another state is entitled to
17 courtesy in the parking of a vehicle The courtesy shall relieve
18 the handicapper or the person transporting the handicapper from
19 liability for a violation with respect to parking other than in
20 violation of this act A local authority may by ordinance pro-
21 hibit parking on a street or highway to create a fire lane or to
22 provide for the accommodation of heavy traffic during morning and
23 afternoon rush hours and the privileges extending to veterans
24 and physically handicapped persons under this subsection do not
25 supersede that ordinance

26 (7) An application for an initial free parking sticker shall
27 contain a certification by a physician licensed under part 170 or

1 175 of the public health code Act No 368 of the Public Acts of
2 1978 being sections 333 17001 to 333 17088 and 333 17501 to
3 333 17556 of the Michigan Compiled Laws attesting to the nature
4 and estimated duration of the applicant's handicap condition and
5 verifying that the applicant qualifies for a free parking

6 sticker The applicant qualifies for a free parking sticker if
7 the applicant is a licensed driver and the physician certifies
8 that the applicant is unable to do 1 or more of the following

9 (a) Manage, manipulate, or insert coins, or obtain tickets
10 or tokens in parking meters or ticket machines in parking lots or
11 parking structures, due to the lack of fine motor control of both
12 hands

13 (b) Reach above his or her head to a height of 42 inches
14 from the ground, due to a lack of finger, hand or upper extrem-
15 ity strength or mobility

16 (c) Approach a parking meter due to his or her use of a
17 wheelchair or other device

18 (d) Walk more than 20 feet due to an orthopedic neurolo-
19 gical, cardiovascular or lung condition in which the degree of
20 debilitation is so severe that it almost completely impedes the
21 ability to walk

22 (8) To be entitled to free parking in a metered space or in
23 a publicly owned parking structure or area a vehicle must prop-
24 erly display 1 of the following

25 (a) A windshield placard bearing a free parking sticker
26 issued pursuant to this act

1 (b) A valid certificate of identification issued before ~~the~~
2 ~~effective date of this act~~ OCTOBER 1 1994

3 (c) A valid windshield placard issued by another state

4 (d) A certificate of identification issued by another
5 state

6 (e) A handicapper license plate issued by another state

7 (f) A special registration plate with a handicapper tab
8 attached issued by another state

9 (9) A vehicle that does not properly display 1 of the items
10 listed in subsection (8) is not entitled to free parking in a
11 metered parking space or in a publicly owned parking area or
12 structure and the handicapper or vehicle operator shall pay all
13 parking fees and may be responsible for a civil infraction

14 (10) Blindness that is not accompanied by an incapacity
15 described in subsection (7) does not entitle a person to a free
16 parking sticker

17 (11) The secretary of state shall attach a free parking
18 sticker, in contrasting colors to the windshield placard of a
19 person certified as having an incapacity described in subsection
20 (7)

21 (12) A windshield placard issued under this section shall be
22 displayed on the interior rearview mirror of the vehicle or, if
23 there is no interior rearview mirror, on the lower left corner of
24 the dashboard while the vehicle is parked or being parked by or
25 under the direction of a handicapper pursuant to this section

1 (13) A certificate of identification issued before February
2 11 1992 shall be displayed on the lower left corner of the
3 dashboard of the parked vehicle

4 (14) Upon conviction of an offense involving a violation of
5 the special privileges conferred upon a holder of a certificate
6 of identification, windshield placard, or free parking sticker, a
7 magistrate or judge trying the case as a part of any penalty
8 imposed, may confiscate the serially numbered certificate of
9 identification, windshield placard or free parking sticker and
10 return the confiscated item or items to the secretary of state
11 together with a certified copy of the sentence imposed Upon
12 receipt of a certificate of identification windshield placard,
13 or free parking sticker from a judge or magistrate the secretary
14 of state shall cancel and destroy the certificate, placard, or
15 sticker, and the handicapper to whom it was issued shall not
16 receive another certificate placard or sticker until he or she
17 submits a completed application and presents a current medical
18 statement attesting to his or her condition A law enforcement
19 officer who observes a misuse of a certificate of identification,
20 windshield placard, or free parking sticker may immediately con-
21 fiscate the certificate placard, or sticker and forward it with
22 a copy of his or her report to the secretary of state

23 (15) A person who intentionally makes a false statement of
24 material fact or commits or attempts to commit a deception or
25 fraud on a medical statement attesting to a handicap, submitted
26 in support of an application for a certificate of identification,
27 windshield placard free parking sticker, special registration

1 plate or handicapper tab under this section section 803d or
2 section 803f, is guilty of a misdemeanor, punishable by a fine of
3 not more than \$500 00 or imprisonment for not more than 30 days,
4 or both

5 (16) A person who commits or attempts to commit a deception
6 or fraud by 1 or more of the following methods is guilty of a
7 misdemeanor punishable by a fine of not more than \$500 00 or
8 imprisonment for not more than 30 days, or both

9 (a) Using a certificate of identification, windshield plac-
10 ard, or free parking sticker issued under this section or by
11 another state to provide transportation to a handicapper, when
12 the person is not providing transportation to a handicapper

13 (b) Altering modifying or selling a certificate of identi-
14 fication, windshield placard, or free parking sticker issued
15 under this section or by another state

16 (c) Copying or forging a certificate of identification,
17 windshield placard, or free parking sticker described in this
18 section or selling or using a certificate, placard, or sticker
19 described in this subdivision

20 (d) Making a false statement of material fact to obtain or
21 assist an individual in obtaining a certificate, placard, or
22 sticker described in this section, a special registration plate
23 under section 803d, or a handicapper tab under section 803f

24 (e) Knowingly using or displaying a certificate, placard, or
25 sticker described in this section that has been canceled by the
26 secretary of state

1 (17) Except as otherwise provided in this section, a person
2 who violates this section is responsible for a civil infraction

3 (18) A certificate of identification issued before ~~the~~
4 ~~effective date of the amendatory act that added this subsection~~
5 OCTOBER 1, 1994 and containing an expiration date is valid for
6 free parking in a space controlled or regulated by a meter on a
7 public highway or in a publicly owned parking area or structure
8 when the time for parking indicated on the meter has expired, or
9 in a parking space clearly identified by an official sign as
10 being reserved for use by handicappers that is on public property
11 or private property available for public use until the expira-
12 tion date printed on the certificate The certificate expires
13 and shall be canceled on its expiration date

14 (19) A certificate of identification issued before ~~the~~
15 ~~effective date of this act~~ OCTOBER 1, 1994 that does not contain
16 an expiration date expires and shall be canceled on ~~the effec-~~
17 ~~tive date of the amendatory act that added this subsection~~
18 OCTOBER 1, 1994

19 (20) A certificate of identification shall not be issued or
20 renewed by the secretary of state after ~~the effective date of~~
21 ~~the amendatory act that added this subsection~~ OCTOBER 1, 1994

22 (21) The secretary of state may cancel, revoke or suspend a
23 windshield placard, free parking sticker or certificate of iden-
24 tification under any of the following circumstances

25 (a) The secretary of state determines that a windshield
26 placard, free parking sticker, or certificate of identification
27 was fraudulently or erroneously issued

1 (b) The secretary of state determines that a person has made
2 or is making an unlawful use of his or her windshield placard,
3 free parking sticker, or certificate of identification

4 (c) The secretary of state determines that a check or draft
5 used to pay the required fee is not paid on its first presenta-
6 tion and is not paid upon reasonable notice or demand or that the
7 required fee is paid by an invalid credit card

8 (d) The secretary of state determines that the person is no
9 longer eligible to receive or use a windshield placard, free
10 parking sticker, or certificate of identification

11 (e) The secretary of state determines that the owner has
12 committed an offense under this act involving a windshield plac-
13 ard free parking sticker or certificate of identification

14 (f) A person has violated this act and the secretary of
15 state is authorized under this act to cancel revoke, or suspend
16 a windshield placard free parking sticker, or certificate of
17 identification for that violation

18 (g) The secretary of state receives notice from another
19 state or foreign country that a windshield placard free parking
20 sticker, or certificate of identification issued by the secretary
21 of state has been surrendered by the owner or seized in con-
22 formity with the laws of that other state or foreign country, or
23 has been improperly used or displayed in violation of the laws of
24 that other state or foreign country

25 (22) Before a cancellation revocation or suspension under
26 subsection (21), the person affected thereby shall be given
27 notice and an opportunity to be heard

1 (23) A windshield placard issued to a handicapper shall bear
2 the handicapper s driver's or chauffeur s license number or the
3 number on his or her official state personal identification card
4 issued under Act No 222 of the Public Acts of 1972, being sec-
5 tions 28 291 to 28 295 of the Michigan Compiled Laws

6 Section 2 This amendatory act shall take effect October 1,
7 1994

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