



# HOUSE BILL No. 5478

December 13, 1995, Introduced by Rep. Yokich and referred to the Committee on Transportation.

A bill to amend Act No. 328 of the Public Acts of 1931, entitled as amended "The Michigan penal code," as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding section 508a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Act No. 328 of the Public Acts of 1931, as  
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled  
3 Laws, is amended by adding section 508a to read as follows:

4 SEC. 508A. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A  
5 PERSON WHO SHALL CARRY A PORTABLE RADIO SCANNER IN A VEHICLE THAT  
6 IS NOT USED OR OWNED BY A PEACE OFFICER OR A BONA FIDE AMATEUR  
7 RADIO OPERATOR HOLDING A TECHNICIAN, GENERAL, ADVANCED, OR  
8 AMATEUR EXTRA CLASS LICENSE ISSUED BY THE FEDERAL COMMUNICATIONS  
9 COMMISSION WITHOUT FIRST SECURING A PERMIT TO DO SO FROM THE

1 DIRECTOR OF THE DEPARTMENT OF STATE POLICE SHALL BE GUILTY OF A  
2 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR  
3 OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

4 (2) A PERSON MAY TRANSPORT A PORTABLE RADIO SCANNER IN THE  
5 TRUNK OF A VEHICLE OR, IF THE VEHICLE DOES NOT HAVE A TRUNK OR A  
6 COMPARTMENT SEPARATE FROM THE PASSENGER COMPARTMENT, WITHIN THE  
7 PASSENGER COMPARTMENT OF THE VEHICLE IF THE PORTABLE RADIO SCAN-  
8 NER IS ENCLOSED OR ENCASED AND THE PORTABLE RADIO SCANNER IS NOT  
9 READILY ACCESSIBLE TO THE OCCUPANTS OF THE VEHICLE.

10 (3) AS USED IN THIS SECTION, "PORTABLE RADIO SCANNER" MEANS  
11 A PORTABLE RADIO RECEIVING SET THAT WILL RECEIVE SIGNALS SENT ON  
12 FREQUENCIES ASSIGNED BY THE FEDERAL COMMUNICATIONS COMMISSION FOR  
13 POLICE PURPOSES.