

Act No. 441
Public Acts of 1998
Approved by the Governor
December 29, 1998
Filed with the Secretary of State
December 30, 1998
EFFECTIVE DATE: December 30, 1998

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

**Introduced by Senators Bennett, Conroy, Gougeon, North, Bullard, Vaughn, V. Smith, Peters, A. Smith,
DeBeaussiaert, Young, Stallings, Byrum and Koivisto**

ENROLLED SENATE BILL No. 378

AN ACT to amend 1967 PA 291, entitled "An act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected," by amending sections 1 and 2a (MCL 390.891 and 390.892a), section 1 as amended by 1992 PA 229 and section 2a as amended by 1991 PA 42.

The People of the State of Michigan enact:

Sec. 1. The governing boards of state universities and colleges may each enact parking, traffic, and pedestrian ordinances for the government and control of their respective campuses. If an ordinance is enacted, the governing board shall specify whether a particular violation is a misdemeanor or a civil infraction. Enforcement of the ordinance shall be by law enforcement officers of this state or the county, township, or city where the violation of the ordinance occurs. The governing board of a state university or college may authorize a person other than a law enforcement officer to issue and serve a citation for a violation of the ordinance pertaining to parking for persons with disabilities if the governing board complies with the requirements of section 675d of the Michigan vehicle code, 1949 PA 300, MCL 257.675d. The ordinance shall be in substantial conformity with the uniform traffic code promulgated pursuant to 1956 PA 62, MCL 257.951 to 257.954.

Sec. 2a. If the violation of a particular provision of the ordinance is designated a civil infraction pursuant to section 1, the governing board may establish civil sanctions for those civil infractions, but a civil fine shall not be more than \$25.00. If the governing board establishes civil sanctions for a violation of a particular provision of the ordinance designated a civil infraction that prohibits parking in a parking space reserved for use by persons with disabilities substantially corresponding to section 674(1)(s) of the Michigan vehicle code, 1949 PA 300, MCL 257.674, the governing board shall establish a civil fine of not less than \$50.00 or more than \$100.00. A civil sanction in excess of that prescribed in the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, is in conflict with that act and is void to the extent of the conflict. The ordinance shall not impose a misdemeanor penalty for an act or omission which is a civil infraction under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. Except as provided in section 3, the violation of a provision designated a civil infraction in the ordinance shall be processed in the same manner as a civil infraction under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 371 of the 89th Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Maya R. Bullock

Clerk of the House of Representatives.

Approved _____

Governor.