

HOUSE BILL No. 5021

July 11, 2001, Introduced by Rep. Allen and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2000 PA 460.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 320a. (1) The secretary of state, within 10 days after
2 the receipt of a properly prepared abstract from this or another
3 state, shall record the date of conviction, civil infraction
4 determination, or probate court disposition, and the number of
5 points for each, based on the following formula, except as other-
6 wise provided in this section and section 629c:

7 (a) Manslaughter, negligent homicide, or a felony
8 resulting from the operation of a motor vehicle, ORV,
9 or snowmobile..... 6 points

1 (b) A violation of section 653a(4)..... 6 points

2 (c) A violation of section 625(1), (4), (5), or
3 (7), section 81134 or 82127(1) of the natural resources
4 and environmental protection act, 1994 PA 451,
5 MCL 324.81134 and 324.82127, or a law or ordinance sub-
6 stantially corresponding to section 625(1), (4), (5),
7 or (7) or, section 81134 or 82127(1) of the natural
8 resources and environmental protection act, 1994
9 PA 451, MCL 324.81134 and 324.82127..... 6 points

10 (d) Failing to stop and disclose identity at the
11 scene of an accident when required by law..... 6 points

12 (e) Operating a motor vehicle in violation of sec-
13 tion 626 or section 653a(3)..... 6 points

14 (f) Fleeing or eluding an officer..... 6 points

15 (G) VIOLATION OF SECTION 627(9) PERTAINING TO
16 SPEED IN A DESIGNATED WORK AREA BY EXCEEDING THE LAWFUL
17 MAXIMUM BY MORE THAN 15 MILES PER HOUR..... 5 POINTS

18 (H) ~~(g)~~ Violation of any law OTHER THAN THE LAW
19 DESCRIBED IN SUBDIVISION (G) or ordinance pertaining to
20 speed by exceeding the lawful maximum by more than 15
21 miles per hour..... 4 points

22 (I) ~~(h)~~ Violation of section 625(3) or (6), sec-
23 tion 81135 or 82127(3) of the natural resources and
24 environmental protection act, 1994 PA 451,
25 MCL 324.81135 and 324.82127, or a law or ordinance sub-
26 stantially corresponding to section 625(3) or (6) or,
27 section 81135 or 82127(3) of the natural resources and

- 1 environmental protection act, 1994 PA 451,
- 2 MCL 324.81135 and 324.82127..... 4 points
- 3 (J) ~~(i)~~ Violation of section 626a or a law or
- 4 ordinance substantially corresponding to section 626a.. 4 points
- 5 (K) ~~(j)~~ Violation of section 653a(2)..... 4 points
- 6 (L) VIOLATION OF SECTION 627(9) PERTAINING TO
- 7 SPEED IN A DESIGNATED WORK AREA BY EXCEEDING THE LAWFUL
- 8 MAXIMUM BY MORE THAN 10 BUT NOT MORE THAN 15 MILES PER
- 9 HOUR..... 4 POINTS
- 10 (M) ~~(k)~~ Violation of any law OTHER THAN THE LAW
- 11 DESCRIBED IN SUBDIVISION (l) or ordinance pertaining to
- 12 speed by exceeding the lawful maximum by more than 10
- 13 but not more than 15 miles per hour or careless driving
- 14 in violation of section 626b or a law or ordinance sub-
- 15 stantially corresponding to section 626b..... 3 points
- 16 (N) VIOLATION OF SECTION 627(9) PERTAINING TO
- 17 SPEED IN A DESIGNATED WORK AREA BY EXCEEDING THE LAWFUL
- 18 MAXIMUM BY 10 MILES PER HOUR OR LESS..... 3 POINTS
- 19 (O) ~~(l)~~ Violation of any law OTHER THAN THE LAW
- 20 DESCRIBED IN SUBDIVISION (N) or ordinance pertaining to
- 21 speed by exceeding the lawful maximum by 10 miles per
- 22 hour or less..... 2 points
- 23 (P) ~~(m)~~ Disobeying a traffic signal or stop
- 24 sign, or improper passing..... 3 points
- 25 (Q) ~~(n)~~ Violation of section 624a, 624b, or a
- 26 law or ordinance substantially corresponding to section
- 27 624a or 624b..... 2 points

1 (R) ~~(o)~~ Violation of section 310e(4) or (6) or a
2 law or ordinance substantially corresponding to section
3 310e(4) or (6)..... 2 points

4 (S) ~~(p)~~ All other moving violations pertaining
5 to the operation of motor vehicles reported under this
6 section..... 2 points

7 (T) ~~(q)~~ A refusal by a person less than 21 years
8 of age to submit to a preliminary breath test required
9 by a peace officer under section 625a..... 2 points

10 (2) Points shall not be entered for a violation of section
11 310e(14), 311, 625m, 658, 717, 719, 719a, or 723.

12 (3) Points shall not be entered for bond forfeitures.

13 (4) Points shall not be entered for overweight loads or for
14 defective equipment.

15 (5) If more than 1 conviction, civil infraction determina-
16 tion, or probate court disposition results from the same inci-
17 dent, points shall be entered only for the violation that
18 receives the highest number of points under this section.

19 (6) If a person has accumulated 9 points as provided in this
20 section, the secretary of state may call the person in for an
21 interview as to the person's driving ability and record after due
22 notice as to time and place of the interview. If the person
23 fails to appear as provided in this subsection, the secretary of
24 state shall add 3 points to the person's record.

25 (7) If a person violates a speed restriction established by
26 an executive order issued during a state of energy emergency as
27 provided by 1982 PA 191, MCL 10.81 to 10.89, the secretary of

1 state shall enter points for the violation pursuant to subsection
2 (1).

3 (8) The secretary of state shall enter 6 points upon the
4 record of a person whose license is suspended or denied pursuant
5 to section 625f. However, if a conviction, civil infraction
6 determination, or probate court disposition results from the same
7 incident, additional points for that offense shall not be
8 entered.

9 (9) If a Michigan driver commits a violation in another
10 state that would be a civil infraction if committed in Michigan,
11 and a conviction results solely because of the failure of the
12 Michigan driver to appear in that state to contest the violation,
13 upon receipt of the abstract of conviction by the secretary of
14 state, the violation shall be noted on the driver's record, but
15 no points shall be assessed against his or her driver's license.