

Act No. 213
Public Acts of 2001
Approved by the Governor
December 27, 2001
Filed with the Secretary of State
December 27, 2001
EFFECTIVE DATE: December 27, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Senator Hoffman

ENROLLED SENATE BILL No. 677

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 629e (MCL 257.629e), as amended by 2000 PA 268.

The People of the State of Michigan enact:

Sec. 629e. (1) In addition to any fine or cost ordered to be paid under this act, and in addition to any assessment levied under section 907, the judge, district or municipal court referee, or district or municipal court magistrate shall levy a highway safety assessment of \$5.00, a jail reimbursement program assessment of \$5.00, and a secondary road patrol and training assessment of \$10.00 for each civil infraction determination except for a parking violation or a violation for which the total fine and costs imposed are \$10.00 or less. Upon payment of the assessments, the clerk of the court shall transmit the assessments levied to the department of treasury. The state treasurer shall deposit the revenue received pursuant to this subsection in the highway safety fund, in the jail reimbursement program fund, and in the secondary road patrol and training fund, and shall report annually to the legislature all revenues received and disbursed under this section. An assessment levied under this subsection shall not be considered a civil fine for purposes of section 909.

(2) A highway safety fund, a jail reimbursement program fund, and a secondary road patrol and training fund are created in the department of treasury. The highway safety fund and the secondary road patrol and training fund shall be administered by the department of state police. The jail reimbursement program fund shall be administered by the department of corrections. Money collected under subsection (1) shall be deposited in the respective funds as provided in subsection (1). Money remaining in the respective funds at the end of a fiscal year shall not lapse but shall remain in the respective funds for use for the purposes of the funds. The money deposited in the highway safety fund shall serve as a supplement to, and not as a replacement for, the funds budgeted for the department of state police. The money in the highway safety fund shall be used by the department of state police for the employment of additional state police enlisted personnel to enforce the traffic laws on the highways and freeways of this state. The money in the jail

reimbursement program fund shall be used by the department of corrections to reimburse counties for housing and custody of convicted felons pursuant to the requirements of section 35 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.35. The money in the secondary road patrol and training fund shall be used for secondary road patrol and traffic accident grants pursuant to section 77 of 1846 RS 14, MCL 51.77, and for grants under section 14 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.614. If the revenue received from the \$10.00 assessment for secondary road patrol and training for a fiscal year increases the total revenue received from all sources for the secondary road patrol and training fund for that fiscal year, then the general fund appropriation shall be reduced proportionally to the additional revenue collected and remitted as a result of the increased assessment. The department of state police and the department of corrections shall report annually to the legislature all revenues received and disbursed under this section.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Sam E. Randall

Clerk of the House of Representatives.

Approved

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Governor.