HOUSE SUBSTITUTE FOR

SENATE BILL NO. 509

A bill to amend 1949 PA 300, entitled

"Michigan vehicle code,"

(MCL 257.1 to 257.923) by adding section 732a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   **Sec. 732a. (1) An individual, whether licensed or not, who**

2 **accumulates 7 or more points on his or her driving record**

3 **pursuant to section 320a within a 2-year period for any violation**

4 **not listed under subsection (2) shall be assessed a $100.00**

5 **driver responsibility fee. For each additional point accumulated**

6 **above 7 points not listed under subsection (2), an additional fee**

7 **of $50.00 shall be assessed. The secretary of state shall**

8 **collect the fees described in this subsection once each year that**

9 **the point total on an individual driving record is 7 points or**

10 **more.**

11   **(2) An individual, whether licensed or not, who violates any**

1 of the following sections or another law or local ordinance that

2 substantially corresponds to those sections shall be assessed a

3 driver responsibility fee as follows:

4   (a) Upon posting of an abstract that an individual has been

5 found guilty for a violation listed in this subdivision, the

6 secretary of state shall assess a $1,000.00 driver responsibility

7 fee each year for 2 consecutive years for any of the following

8 offenses:

9   (*i*) Manslaughter, negligent homicide, or a felony resulting

10 from the operation of a motor vehicle, ORV, or snowmobile.

11   (*ii*) A violation of section 601b(2) or (3), 601c(1) or (2),

12 or 653a(3) or (4).

13   (*iii*) A violation of section 625(1), (4), or (5), section

14 625m, or section 81134 of the natural resources and environmental

15 protection act, 1994 PA 451, MCL 324.81134, or a law or ordinance

16 substantially corresponding to section 625(1), (4), or (5),

17 section 625m, or section 81134 of the natural resources and

18 environmental protection act, 1994 PA 451, MCL 324.81134.

19   (*iv*) Failing to stop and disclose identity at the scene of an

20 accident when required by law.

21   (*v*) Fleeing or eluding an officer.

22   (b) Upon posting of an abstract that an individual has been

23 found guilty for a violation listed in this subdivision, the

24 secretary of state shall assess a $500.00 driver responsibility

25 fee each year for 2 consecutive years for any of the following

26 offenses:

27   (*i*) Section 625(3), (6), or (7).

1   (*ii*) Section 626.

2   (*iii*) Section 904.

3   (*iv*) Section 3101 or 3103 of the insurance code of 1956, 1956

4 PA 218, MCL 500.3101 and 500.3103.

5   (c) Upon posting of an abstract that an individual has been

6 found guilty for a violation listed in this subdivision, the

7 secretary of state shall assess a $150.00 driver responsibility

8 fee each year for 2 consecutive years for any of the following

9 offenses:

10   (*i*) Section 301.

11   (*ii*) Section 328.

12   (3) The secretary of state shall send a notice of the driver

13 responsibility assessment, as prescribed under subsection (1) or

14 (2), to the individual by regular mail to the address on the

15 records of the secretary of state. If payment is not received

16 within 30 days after the notice is mailed, the secretary of state

17 shall send a second notice that indicates that if payment is not

18 received within the next 30 days, the driver's driving privileges

19 will be suspended.

20   (4) The secretary of state may authorize payment by

21 installment for an amount of $500.00 or more for a period not to

22 exceed 12 months.

23   (5) If payment is not received or an installment plan is not

24 established after the time limit required by the second notice

25 prescribed under subsection (3) expires, the secretary of state

26 shall suspend the driving privileges until the assessment and any

27 other fees prescribed under this act are paid.

1   (6) A fee shall not be assessed under this section for 7

2 points or more on a driving record on the effective date of the

3 amendatory act that added this section. Points assigned after

4 that date shall be assessed as prescribed under subsections (1)

5 and (2).

6   (7) The fire protection fund is created within the state

7 treasury. The state treasurer may receive money or other assets

8 from any source for deposit into the fund. The state treasurer

9 shall direct the investment of the fund. The state treasurer

10 shall credit to the fund interest and earnings from fund

11 investments. Money in the fund at the close of the fiscal year

12 shall remain in the fund and shall not lapse to the general

13 fund. The department of consumer and industry services shall

14 expend money from the fund, upon appropriation, only for fire

15 protection grants to cities, villages, and townships with state

16 owned facilities for fire services, as provided in 1977 PA 289,

17 MCL 141.951 to 141.956.

18   (8) The secretary of state shall transmit the fees collected

19 under this section to the state treasurer. The state treasurer

20 shall credit fee money received under this section in each fiscal

21 year as follows:

22   (a) The first $65,000,000.00 shall be credited to the general

23 fund.

24   (b) If more than $65,000,000.00 is collected under this

25 section, the next amount collected in excess of $65,000,000.00 up

26 to $68,500,000.00 shall be credited to the fire protection fund

27 created in this section.

1   **(c) If more than $100,000,000.00 is collected under this**

2   **section, the next amount collected in excess of $100,000,000.00**

3   **up to $105,000,000.00 shall be credited to the fire protection**

4   **fund created in this section.**

5   **(d) Any amount collected after crediting the amounts under**

6   **subdivisions (a), (b), and (c) shall be credited to the general**

7   **fund.**

8   **(9) For fiscal year 2003-2004, $3,500,000.00 is appropriated**

9   **from the fire protection fund described in subsection (7) to the**

10   **department of consumer and industry services for the purposes**

11   **described under subsection (7).**

12   Enacting section 1. This amendatory act takes effect

13   October 1, 2003.