

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 842

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
(MCL 257.1 to 257.923) by adding section 616a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 616a. (1) Except as provided in subsections (3) and
2 (4), a person shall not do any of the following:
- 3 (a) Possess a portable signal preemption device.
4 (b) Use a portable signal preemption device.
5 (c) Sell a portable signal preemption device to a person
6 other than a person described in subsection (3).
7 (d) Purchase a portable signal preemption device for use
8 other than a duty as described in subsections (3) and (4).
- 9 (2) A person who violates subsection (1) is guilty of a crime
10 as follows:
- 11 (a) A person who violates subsection (1)(a) is guilty of a

1 misdemeanor punishable by imprisonment for not more than 90 days
2 or a fine of not more than \$5,000.00, or both.

3 (b) Except as provided in subdivisions (c), (d), and (e), a person
4 who violates subsection (1)(b) is guilty of a felony punishable
5 by imprisonment for not more than 2 years or a fine of not more
6 than \$10,000.00, or both.

7 (c) A person who violates subsection (1)(b), which violation
8 results in a traffic accident, is guilty of a felony punishable
9 by imprisonment for not more than 5 years or a fine of not more
10 than \$15,000.00, or both.

11 (d) A person who violates subsection (1)(b), which violation
12 results in the serious impairment of a body function, is guilty
13 of a felony punishable by imprisonment for not more than 10 years
14 or a fine of not more than \$20,000.00, or both.

15 (e) A person who violates subsection (1)(b), which violation
16 results in the death of another, is guilty of a felony punishable
17 by imprisonment for not more than 15 years or a fine of not more
18 than \$25,000.00, or both.

19 (f) A person who violates subsection (1)(c) or (d) is guilty
20 of a felony punishable by imprisonment for not more than 2 years
21 or a fine of not more than \$10,000.00, or both.

22 (3) This section does not apply to any of the following:

23 (a) A law enforcement agency in the course of providing law
24 enforcement services.

25 (b) A fire station or a firefighter in the course of
26 providing fire prevention or fire extinguishing services.

27 (c) An emergency medical service or ambulance in the course

1 of providing emergency medical transportation or ambulance
2 services.

3 (d) An operator, passenger, or owner of an authorized
4 emergency vehicle in the course of his or her emergency duties.

5 (4) Subsection (1)(a) does not apply to either of the
6 following:

7 (a) A mail or package delivery service or employee or agent
8 of a mail or package delivery service in the course of shipping
9 or delivering a portable signal preemption device.

10 (b) An employee or agent of a portable signal preemption
11 device manufacturer or retailer in the course of his or her
12 employment in providing, selling, manufacturing, or transporting
13 a portable signal preemption device to an individual or agency
14 described in this subsection.

15 (5) As used in this section:

16 (a) "Portable signal preemption device" means a device that,
17 if activated by a person, is capable of changing a traffic
18 control signal to green out of sequence.

19 (b) "Serious impairment of a body function" means that term
20 as defined in section 58c.

21 Enacting section 1. This amendatory act takes effect 90
22 days after it is enacted.