

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 subsection (3), a
2 person shall not do any of the following:
- 3 (a) Possess a signal preemption device.
4 (b) Use a signal preemption device.
5 (c) Sell a signal preemption device to a person other than a
6 person described in subsection (3).
7 (d) Purchase a signal preemption device for use other than a
8 duty as described in subsection (3).
- 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

Senate Bill No. 842 as amended December 9, 2003

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) and (d), 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.

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

(c) An emergency medical service or ambulance in the course of providing emergency medical transportation or ambulance services.

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

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

(f) An employee or agent of a signal preemption device manufacturer

or retailer in the course of his or her employment in providing, selling,
manufacturing, or transporting a signal preemption device to an
individual or agency described in this subsection.>>

25 (4) As used in this section:

26 (a) "Serious impairment of a body function" means that term

27 as defined in section 58c.

1 (b) "Signal preemption device" means a device with the
2 capability of changing a traffic control signal to green out of
3 sequence.