

# HOUSE BILL No. 5173

October 15, 2003, Introduced by Rep. Acciavatti and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 601b (MCL 257.601b), as amended by 2001 PA 103.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 601b. (1) Notwithstanding any other provision of this  
2 act, a person responsible for a moving violation in a  
3 construction zone, at an emergency scene, or in a school zone  
4 during the period beginning 30 minutes before school in the  
5 morning and through 30 minutes after school in the afternoon is  
6 subject to a fine that is double the fine otherwise prescribed  
7 for that moving violation.

8       (2) A person who commits a moving violation ~~that has~~  
9 ~~criminal penalties~~ and as a result causes injury to a person  
10 working in the construction zone is guilty of a misdemeanor

1 punishable by a fine of not more than \$1,000.00 or imprisonment  
2 for not more than 1 year, or both.

3 (3) A person who commits a moving violation ~~that has~~  
4 ~~criminal penalties~~ and as a result causes death to a person  
5 working in the construction zone is guilty of a felony punishable  
6 by a fine of not more than \$7,500.00 or by imprisonment for not  
7 more than 15 years, or both.

8 (4) Whenever practical, signs designed in compliance with the  
9 uniform manual of traffic control devices shall be appropriately  
10 placed at the construction zone by the state transportation  
11 department or road authority having jurisdiction over the  
12 construction zone notifying operators of vehicles of the  
13 increased fines and penalties provided by this section for the  
14 protection and safety of construction workers.

15 (5) Subsections (2) and (3) do not apply if the injury or  
16 death was caused by the negligence of the person working in the  
17 construction zone.

18 (6) As used in this section:

19 (a) "Construction zone" means a designated work area  
20 described in section 627.

21 (b) "Emergency scene" means a traffic accident, a serious  
22 incident caused by weather conditions, or another occurrence  
23 along a highway or street for which a police officer,  
24 firefighter, or emergency medical personnel are summoned to aid  
25 an injured victim.

26 (c) "Moving violation" means an act or omission prohibited  
27 under this act or a local ordinance substantially corresponding

1 to this act that occurs while a person is operating a motor  
2 vehicle, and for which the person is subject to a fine.

3 (d) "School zone" means that term as defined in section  
4 627a.