

SENATE BILL No. 842

November 13, 2003, Introduced by Senators STAMAS, PATTERSON, VAN WOERKOM, TOY, GARCIA, BASHAM, GILBERT, CROUSEY, BIRKHOLZ and BROWN and referred to the Committee on Transportation.

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 mobile infrared transmitter.
4 (b) Use a mobile infrared transmitter.
5 (c) Sell a mobile infrared transmitter to a person other than
6 a person described in subsection (3).
7 (d) Purchase a mobile infrared transmitter for use other than
8 a 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

1 misdemeanor punishable by imprisonment for not more than 90 days
2 and 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 the operator, passenger,
23 or owner of an authorized emergency vehicle in the course of his
24 or her emergency duties.

25 (4) As used in this section:

26 (a) "Mobile infrared transmitter" means a device that emits
27 an infrared beam with the capability of changing a traffic

1 control signal to green out of sequence.

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

3 as defined in section 58c.