

Act No. 314
Public Acts of 2003
Approved by the Governor
January 8, 2004
Filed with the Secretary of State
January 9, 2004
EFFECTIVE DATE: January 9, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2003**

Introduced by Rep. Acciavatti

ENROLLED HOUSE BILL No. 5173

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 601b (MCL 257.601b), as amended by 2001 PA 103.

The People of the State of Michigan enact:

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

(2) A person who commits a moving violation for which not fewer than 3 points are assigned under section 320a and as a result causes injury to a person working in the work zone is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 1 year, or both.

(3) A person who commits a moving violation for which not fewer than 3 points are assigned under section 320a and as a result causes death to a person working in the work zone is guilty of a felony punishable by a fine of not more than \$7,500.00 or by imprisonment for not more than 15 years, or both.

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

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

(6) As used in this section:

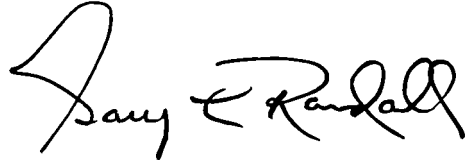
(a) "Emergency scene" means a traffic accident, a serious incident caused by weather conditions, or another occurrence along a highway or street for which a police officer, firefighter, or emergency medical personnel are summoned to aid an injured victim.

(b) "Moving violation" means an act or omission prohibited under this act or a local ordinance substantially corresponding to this act that occurs while a person is operating a motor vehicle, and for which the person is subject to a fine.

(c) "School zone" means that term as defined in section 627a.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5089 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor