

SUBSTITUTE FOR
HOUSE BILL NO. 4807

A bill to amend 1956 PA 62, entitled

"An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,"

by amending section 1 (MCL 257.951), as amended by 1998 PA 69.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) A city, township, or village may adopt by
2 reference a code or ordinance for the regulation of traffic within
3 cities, townships, and villages that has been promulgated by the
4 director of the department of state police. The director of the
5 department of state police may promulgate a uniform traffic code
6 ~~pursuant to~~ **IN COMPLIANCE WITH** the administrative procedures act
7 of 1969, 1969 PA 306, MCL 24.201 to 24.328.

8 (2) A city, township, or village, with the consent of, or at

1 the request of, a person who is in charge of a ~~private road or~~
2 parking lot, whether or not that ~~road or~~ parking lot is open to
3 the general public, may contract with that person for the city,
4 township, or village to enforce provisions of the uniform traffic
5 code or ordinance adopted under this section ~~on that private road~~
6 ~~or~~ IN THAT parking lot. A PEACE OFFICER MAY ENTER UPON A PRIVATE
7 ROAD THAT IS ACCESSIBLE TO THE GENERAL PUBLIC TO ENFORCE PROVISIONS
8 OF AN ORDINANCE ADOPTED UNDER THIS SECTION IF SIGNS MEETING THE
9 REQUIREMENTS OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL
10 DEVICES ARE POSTED ON THE PRIVATE ROAD. THE OWNER OR PERSON IN
11 CHARGE OF THE PRIVATE ROAD OR PARKING LOT IS RESPONSIBLE FOR THE
12 POSTING OF SIGNS UNDER THIS SUBSECTION. NOTHING IN THIS SUBSECTION
13 SHALL BE CONSIDERED TO AFFECT A CONTRACT ENTERED INTO BETWEEN A
14 CITY, TOWNSHIP, OR VILLAGE AND THE PERSON IN CHARGE OF A PRIVATE
15 ROAD BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED
16 THIS SENTENCE. As used in this subsection, "person" means an
17 individual, corporation, association, partnership, or other legal
18 entity.

19 (3) A uniform traffic code promulgated by the director of the
20 department of state police under this section shall specify whether
21 a person who violates a particular provision of the code is guilty
22 of a misdemeanor or is responsible for a civil infraction. The
23 director may establish civil sanctions for civil infractions,
24 except that a civil sanction in excess of that prescribed in the
25 vehicle code is in conflict with that act and is void to the extent
26 of the conflict. The uniform traffic code shall not impose a
27 criminal penalty for an act or omission that is a civil infraction

House Bill No. 4807 (H-2) as amended March 7, 2006
1 under the vehicle code.

2 (4) Violation of a provision designated a civil infraction in
3 the uniform traffic code shall be processed in the same manner as a
4 civil infraction under the vehicle code.

5 (5) Notwithstanding the requirements of the uniform traffic
6 code, a sign designating a parking space for persons with
7 disabilities shall be 12 inches by 18 inches or larger ~~—~~ and
8 shall be either blue or white and at a minimum contain the
9 international handicapped symbol in contrasting colors of either
10 blue or white in the center of the sign.

11 (6) The provisions of the uniform traffic code promulgated
12 pursuant to this act that relate to driving while under the
13 influence of an alcoholic beverage or driving with impaired ability
14 shall be identical to the provisions of sections 625 to 625m of the
15 Michigan vehicle code, 1949 PA 300, MCL 257.625 to 257.625m.

16 (7) For purposes of this section, "vehicle code" means the
17 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

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