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BILL ANALYSIS

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House Bill 4817 (Substitute H-1 as passed by the House)

Sponsor: Representative Kevin Green

House Committee: Transportation

Senate Committee: Local, Urban and State Affairs

Date Completed: 6-10-08

CONTENT

The bill would amend the Michigan Vehicle Code to expand the parking violations for which a law enforcement agency or a local unit of government may authorize and use people other than police officers as volunteers to issue citations.

Under the Section 675d of the Code, a law enforcement agency or a local unit of government may implement and administer a program to authorize and use people other than police officers as volunteers to issue citations for the following violations of the Code or a substantially corresponding local ordinance:

- Parking in a space reserved for use by disabled persons.
- Parking in a space or in a manner that blocks access to a fire lane.
- Parking in an access aisle or access lane immediately adjacent to a space designated for parking by persons with disabilities.

Under the bill, a law enforcement agency or a local unit of government also could authorize and use people other than police officers as volunteers to issue citations for the following violations of the Code or a substantially corresponding local ordinance:

- Parking on a sidewalk.
- Parking in front of a public or private driveway.
- Parking within 15 feet of a fire hydrant.
- Parking on a crosswalk.
- Parking within 20 feet of a crosswalk or, if there is not a crosswalk, within 15 feet of the intersection of property lines at an intersection of highways.
- Parking at a place where an official sign prohibits stopping or parking.
- Parking in violation of an official sign restricting the period of time for or manner of parking.

The last two provisions would not authorize a volunteer to issue a citation for any other parking violation set forth in Section 674 of the Code or a substantially corresponding local ordinance. (Section 674 describes the parking violations referred to in Section 675d and other prohibited parking.)

A law enforcement agency could not implement or administer a program that would allow volunteers to issue citations for any of the additional violations listed in the bill if the use of

volunteers were prohibited under a collective bargaining agreement between that local unit of government and any of its law enforcement officers.

Under the Code, a city may authorize personnel other than a police officer to issue and serve a citation for a violation of its ordinance involving the parking or standing of a motor vehicle. A city also may authorize a person other than personnel or a police officer to issue and serve a citation for "a violation of an ordinance pertaining to parking for persons with disabilities or for certain other violations involving the parking or standing of a motor vehicle described in section 675d" if the city has complied with the requirements of the section.

The bill would delete the quoted language and instead refer to parking violations described in Section 675d.

MCL 257.675d & 257.742

Legislative Analyst: Craig Laurie

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.