

# HOUSE BILL No. 5044

July 24, 2007, Introduced by Reps. Miller, Accavitti, Alma Smith and Constan 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 2003 PA 314.

**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 ~~work zone, at~~  
3 ~~an emergency scene, or in a school zone during the period beginning~~  
4 ~~30 minutes before school in the morning and through 30 minutes~~  
5 ~~after school in the afternoon~~ **ANY OF THE FOLLOWING** is subject to a  
6 fine that is double the fine otherwise prescribed for that moving  
7 violation: -

- 8           (A) A WORK ZONE.  
9           (B) A RESIDENTIAL ZONE.

1           (C) A SCHOOL ZONE DURING THE PERIOD BEGINNING 30 MINUTES  
2 BEFORE SCHOOL IN THE MORNING AND THROUGH 30 MINUTES AFTER SCHOOL IN  
3 THE AFTERNOON.

4           (D) AN EMERGENCY SCENE.

5           (2) A person who commits a moving violation for which not  
6 fewer than 3 points are assigned under section 320a and as a result  
7 causes injury to a person working in the work zone **OR TO ANY PERSON**  
8 **IN A RESIDENTIAL ZONE** is guilty of a misdemeanor punishable by a  
9 fine of not more than \$1,000.00 or imprisonment for not more than 1  
10 year, or both.

11           (3) A person who commits a moving violation for which not  
12 fewer than 3 points are assigned under section 320a and as a result  
13 causes death to a person working in the work zone **OR TO ANY PERSON**  
14 **IN A RESIDENTIAL ZONE** is guilty of a felony punishable by a fine of  
15 not more than \$7,500.00 or by imprisonment for not more than 15  
16 years, or both.

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

24           (5) **SIGNS DESIGNED IN COMPLIANCE WITH THE UNIFORM MANUAL OF**  
25 **TRAFFIC CONTROL DEVICES SHALL BE APPROPRIATELY PLACED AT THE**  
26 **RESIDENTIAL ZONE BY THE STATE TRANSPORTATION DEPARTMENT OR ROAD**  
27 **AUTHORITY HAVING JURISDICTION OVER THE RESIDENTIAL ZONE NOTIFYING**

1 OPERATORS OF VEHICLES OF THE INCREASED FINES AND PENALTIES PROVIDED  
2 BY THIS SECTION.

3 (6) ~~(5)~~—Subsections (2) and (3) do not apply if the injury or  
4 death was caused by the negligence of the person working in the  
5 work zone **OR BY THE PERSON IN THE RESIDENTIAL ZONE.**

6 (7) ~~(6)~~—As used in this section:

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

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

15 (C) **"RESIDENTIAL ZONE" MEANS AN AREA DESIGNATED AS A**  
16 **RESIDENTIAL ZONE BY ORDINANCE OF A LOCAL UNIT OF GOVERNMENT.**

17 (D) ~~(e)~~—"School zone" means that term as defined in section  
18 627a.