

HOUSE BILL No. 5487

March 15, 2012, Introduced by Reps. Potvin, Rendon, Damrow, MacMaster, Graves, Foster, Bumstead, Gilbert, Goike, Dillon, Greimel and Meadows and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 42 and 726c (MCL 257.42 and 257.726c), as amended by 1989 PA 173.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 42. "Police officer" means any of the following:
- 2 (a) ~~Every~~ **A** sheriff or sheriff's deputy. †
- 3 **(B)** A village or township marshal. †
- 4 **(C)** **AN** officer of the police department of any city, village,
- 5 or township. †
- 6 **(D)** **AN** ~~any~~ officer of the Michigan state police. † ~~or any~~
- 7 **(E)** A peace officer who is trained and certified pursuant to
- 8 ~~the Michigan law enforcement officers training council act of 1965,~~

1 ~~Act No. 203 of the Public Acts of 1965, being sections 28.601 to~~
2 ~~28.616 of the Michigan Compiled Laws.~~ **UNDER THE COMMISSION ON LAW**
3 **ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL 28.601 TO 28.616.**

4 (F) ~~(b)~~ For purposes of enforcing sections 215, 255, 631(1),
5 717, 719, 719a, 720, 722, 724, 725, and 726, ~~any~~ **A** duly authorized
6 agent of a county road commission meeting the requirements of
7 section 726c. However, an authorized agent of a county road
8 commission shall only enforce sections 215 and 255 with respect to
9 commercial vehicles. **EXCEPT AS PROVIDED IN SECTION 726C(2), AN**
10 **AUTHORIZED AGENT OF A COUNTY ROAD COMMISSION IS NOT REQUIRED TO BE**
11 **CERTIFIED AS A POLICE OFFICER UNDER THE COMMISSION ON LAW**
12 **ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL 28.601 TO 28.616, TO**
13 **ENFORCE ANY LAW DESCRIBED IN THIS SUBDIVISION.**

14 Sec. 726c. (1) A duly authorized agent of a county road
15 commission when enforcing sections 215, 255, 631(1), 717, 719,
16 719a, 720, 722, 724, 725, and 726 shall wear a shoulder patch ~~which~~
17 ~~shall be~~ **THAT IS** clearly visible and ~~shall identify~~ **IDENTIFIES** the
18 branch of government represented.

19 (2) A duly authorized agent of a county road commission shall
20 not carry a firearm while enforcing sections 215, 255, 631(1), 717,
21 719, 719a, 720, 722, 724, 725, and 726 unless he or she ~~meets the~~
22 ~~requirements of the Michigan law enforcement officers training~~
23 ~~council act of 1965, Act No. 203 of the Public Acts of 1965, being~~
24 ~~sections 28.601 to 28.616 of the Michigan Compiled Laws.~~ **IS**
25 **CERTIFIED AS A POLICE OFFICER UNDER THE COMMISSION ON LAW**
26 **ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL 28.601 TO 28.616.**

27 (3) **A DULY AUTHORIZED AGENT OF A COUNTY ROAD COMMISSION SHALL**

1 BE GRANTED ACCESS TO THE LAW ENFORCEMENT INFORMATION NETWORK FOR
2 PURPOSES OF ENFORCING SECTIONS 215, 255, 631(1), 717, 719, 719A,
3 720, 722, 724, 725, AND 726.