

Legislative Analysis



PARKING VIOLATIONS: PROHIBIT PAYMENTS TO VOLUNTEER ENFORCERS FROM FINE REVENUE

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House Bill 4918

Sponsor: Rep. Tim Kelly

Committee: Local Government

Complete to 10-16-13

A SUMMARY OF HOUSE BILL 4918 AS INTRODUCED 8-2-13

Under the Michigan Vehicle Code, a law enforcement agency or a local unit of government may administer a program to use volunteers (other than police officers) to issue citations for certain parking violations described in the code.*

House Bill 4918 would amend the Vehicle Code (MCL 257.675d) to prohibit any money generated by the payment of parking violation citations under such a volunteer program from being paid or credited to the benefit of the individual who issued the citation, or to any agency or association other than to the law enforcement agency or local unit of government that implements or administers the program. Further, no inducements of any monetary value could be offered to a volunteer or to any agency or association to issue parking violation citations.

Finally, the bill specifies that if a person who received a parking violation issued by a volunteer pled "not responsible" or "responsible with explanation" to the citation and requested a hearing before the court or a magistrate, then that citation would be dismissed if the volunteer failed to attend the scheduled hearing.

*[The listed parking violations include, among others: parking on a sidewalk; in front of a driveway; within 15 feet of a fire hydrant; on a crosswalk; in a space reserved for disabled people; and in a space that blocks access to a fire lane. In addition, the law requires a local government (defined to mean a university, college, county, city, village, or township) to train its volunteer parking enforcers to properly issue these citations.]

FISCAL IMPACT:

The bill has an indeterminate fiscal impact. The bill would not affect state revenues or expenditures. To the extent that some local units of government currently provide incentives for volunteer parking enforcers, the bill would prohibit the practice. The impact on local parking fine revenue would be specific to those local units that currently use incentive payments and cannot be readily determined at this time.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.