

Legislative Analysis



PROHIBITION ON INSIGNIAS ON MOTOR VEHICLE: REPEAL

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House Bill 4930

Sponsor: Rep. Tom Leonard

Committee: Criminal Justice

Complete to 9-17-13

A SUMMARY OF HOUSE BILL 4930 AS INTRODUCED 8-28-13

Under Section 3 of the Protection of Names and Emblems Act (Public Act 269 of 1929), it is unlawful to display or allow to be displayed on one's motor vehicle any emblem or insignia of any organization, association, fraternity, lodge, club or order of which the owner of the motor vehicle is not a member. The act provides an exception if the emblem or insignia is displayed solely for the purposes of participation in a public parade, or at a public fair, exhibit, or carnival. A person who violates the prohibition could be found guilty of a misdemeanor punishable by no more than 90 days in jail and/or a \$100 fine, and could be enjoined by a court to stop displaying the emblem or insignia on the motor vehicle.

House Bill 4930 would amend the Protection of Names and Emblems Act to repeal Section 3 (MCL 430.53), which contains the prohibition on a non-member displaying on his or her motor vehicle the emblem or insignia of the listed entities. Thus, the conduct described in Section 3 would no longer be a crime.

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on local correctional systems and penal fine revenues. Information is not available on the number of persons that might have been convicted had the provision not been repealed by the bill. Local units of government would not incur costs related to county jail time and/or local misdemeanor probation supervision for offenders who would have been convicted for this crime. The costs of local incarceration in a county jail and local misdemeanor probation supervision vary by jurisdiction. Penal fine revenues would be decreased. Any decrease in penal fine revenues would decrease funding for local libraries, which are the constitutionally-designated recipients of those revenues.

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