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House Bill 4918 (as passed by the House)
Sponsor: Representative Tim Kelly
House Committee: Local Government
Senate Committee: Local Government and Elections

Date Completed: 3-4-14

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Prohibit the use of revenue generated from citations for certain parking violations to pay volunteers who issued those citations.**
- **Prohibit a law enforcement agency or local unit of government from offering any monetary inducement to a volunteer or to any agency or association, other than the law enforcement agency or local unit, for issuing parking citations.**
- **Require a court to dismiss a parking citation, if the person who received it requested a hearing and the volunteer who issued the citation failed to attend the hearing.**

The Vehicle Code allows a law enforcement agency or a local unit of government to implement and administer a program to authorize and use people other than police officers as volunteers to issue citations for certain parking violations. These violations include, among others, parking on a sidewalk; parking in front of a driveway; parking within 15 feet of a fire hydrant; parking in a space reserved for use by disabled persons or in an access aisle adjacent to such a space; and parking in a space or in a manner that blocks access to a fire lane.

Under the bill, none of the money generated by the payment of those parking violations could be directed, paid, or credited to the benefit of the individual who issued the citation or to any agency or association other than the law enforcement agency or local unit that implemented or administered the parking enforcement program. A law enforcement agency or local unit could not offer an inducement of any monetary value to a volunteer or to any agency or association other than the law enforcement agency or local unit to issue one or more citations for the applicable parking violations.

If a person who received a parking violation citation issued by a volunteer pleaded not responsible or responsible with explanation to the citation and requested a hearing before the court or magistrate, the citation would have to be dismissed if the volunteer failed to attend the scheduled hearing.

MCL 257.675d

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State government. The fiscal impact on local government is unknown, but would depend on whether a local government currently offers

inducements of any monetary value to volunteers for participating in a parking enforcement program, and whether those incentives affect the number of citations issued and the amount of fine revenue collected. The requirement that a citation issued by a volunteer be dismissed if a hearing were held on the matter and the volunteer did not appear would tend to reduce local revenue.

Fiscal Analyst: Elizabeth Pratt

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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.