

# Legislative Analysis



## CREATE CIVIL FINE FOR NOT OBTAINING MOTORCYCLE INDORSEMENT ON DRIVER LICENSE

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**House Bill 4651 (Substitute H-1, as proposed)**

**Sponsor: Rep. Julie Plawecki**

**Committee: Criminal Justice**

**Complete to 10-19-15**

Analysis available at  
<http://www.legislature.mi.gov>

### REVISED SUMMARY:

The bill would create a civil fine for operating a motorcycle on a public street or highway without first obtaining a motorcycle indorsement on a driver's license. Currently, a violation falls under the Michigan Vehicle Code's default penalty for a violation of the act, which is a misdemeanor punishable by imprisonment for not more than 90 days and/or a fine of not more than \$100.

Under the Michigan Vehicle Code, a person, before operating a motorcycle upon a public street or highway must procure a motorcycle indorsement on his or her operator's or chauffeur's license. House Bill 4651 amends the Code to make a failure to obtain the motorcycle indorsement as required a civil infraction (MCL 257.312a, 257.907, and 257.909). The fine for a first violation would be \$500, and the fine for a second or subsequent violation would be \$1,000.

Twenty-five percent of each fine collected under the bill's provisions would be deposited into the Motorcycle Safety Fund described in Sections 312c and 811a of the Code. The remaining 75 percent must be exclusively applied to the support of public libraries and county law libraries. The bill takes effect 90 days after enactment.

### FISCAL IMPACT:

House Bill 4651 would have an indeterminate fiscal impact on the state and on local units of government. The fiscal impact would depend on the number of violations and whether violations were first-time violations or second and subsequent violations. Under the bill, increases in applicable fines would benefit the Motorcycle Safety Fund and local libraries, which are the constitutionally designated recipients of such revenues. Civil infraction penalties would increase revenues going to the state Justice System Fund, which supports various justice-related endeavors in the judicial branch, and the Departments of State Police, Corrections, and Human Services. Also, the bill would have an indeterminate fiscal impact on the judiciary and local court funding units. The fiscal impact would depend on how the provisions of the bill affected caseloads and related administrative costs.

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