

SENATE BILL No. 998

May 25, 2016, Introduced by Senators HORN, KOWALL, JONES, STAMAS, BRANDENBURG, WARREN, HERTEL, SCHMIDT, MARLEAU and ANANICH and referred to the Committee on Economic Development and International Investment.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 2949b (MCL 600.2949b), as added by 2013 PA 251.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2949b. (1) The manufacturer of a vehicle is not liable
2 and ~~shall~~**MUST** be dismissed from any action for alleged damages
3 resulting from any of the following unless the defect from which
4 the damages resulted was present in the vehicle when it was
5 manufactured:

6 (a) The conversion or attempted conversion of the vehicle into
7 an automated motor vehicle by another person.

8 (b) The installation of equipment in the vehicle by another

1 person to convert it into an automated motor vehicle.

2 (c) The modification by another person of equipment that was
3 installed by the manufacturer in an automated motor vehicle
4 specifically for using the vehicle in automatic mode.

5 (2) A subcomponent system producer recognized as described in
6 section 244 of the Michigan vehicle code, 1949 PA 300, MCL 257.244,
7 is not liable in a product liability action for damages resulting
8 from the modification of equipment installed by the subcomponent
9 system producer to convert a vehicle to an automated motor vehicle
10 unless the defect from which the damages resulted was present in
11 the equipment when it was installed by the subcomponent system
12 producer.

13 (3) **A MOTOR VEHICLE MECHANIC OR A MOTOR VEHICLE REPAIR**
14 **FACILITY THAT REPAIRS AN AUTOMATED MOTOR VEHICLE ACCORDING TO**
15 **SPECIFICATIONS FROM THE MANUFACTURER OF THE AUTOMATED MOTOR VEHICLE**
16 **IS NOT LIABLE IN A PRODUCT LIABILITY ACTION FOR DAMAGES RESULTING**
17 **FROM THE REPAIRS.**

18 (4) ~~(3)~~—Sections 2945 to 2949a do not apply in a product
19 liability action to the extent that they are inconsistent with this
20 section.

21 (5) ~~(4)~~—As used in this section:

22 (a) "Automated motor vehicle" means that term as defined in
23 section 2b of the Michigan vehicle code, 1949 PA 300, MCL 257.2b.

24 (b) "Automatic mode" means that term as defined in section 2b
25 of the Michigan vehicle code, 1949 PA 300, MCL 257.2b.

26 (C) **"MOTOR VEHICLE MECHANIC" MEANS THAT TERM AS DEFINED IN**
27 **SECTION 2 OF THE MOTOR VEHICLE SERVICE AND REPAIR ACT, 1974 PA 300,**

1 MCL 257.1302.

2 (D) "MOTOR VEHICLE REPAIR FACILITY" MEANS THAT TERM AS DEFINED
3 IN SECTION 2 OF THE MOTOR VEHICLE SERVICE AND REPAIR ACT, 1974 PA
4 300, MCL 257.1302.

5 (E) ~~(e)~~ "Vehicle" means that term as defined in section 79 of
6 the Michigan vehicle code, 1949 PA 300, MCL 257.79.

7 Enacting section 1. This amendatory act takes effect 90 days
8 after the date it is enacted into law.