

# HOUSE BILL No. 5500

March 22, 2016, Introduced by Reps. Tedder and Kesto and referred to the Committee on Judiciary.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 42 and 726c (MCL 257.42 and 257.726c), as amended by 2012 PA 529.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 42. "Police officer" means any of the following:
- 2           (a) A sheriff or sheriff's deputy.
- 3           (b) A village or township marshal.
- 4           (c) An officer of the police department of any city, village,
- 5 or township.
- 6           (d) An officer of the Michigan state police.
- 7           (e) A peace officer who is trained and **LICENSED OR** certified
- 8 under the **MICHIGAN** commission on law enforcement standards act,

1 1965 PA 203, MCL 28.601 to ~~28.616~~**28.615**.

2 (f) For purposes of enforcing sections 215, 255, 631(1) other  
3 than for speed by noncommercial vehicle operators, 717, 719, 719a,  
4 720, 722, 724, 725, and 726, a duly authorized agent of a county  
5 road commission meeting the requirements of section 726c. However,  
6 an authorized agent of a county road commission shall only enforce  
7 sections 215 and 255 with respect to commercial vehicles. Except as  
8 provided in section 726c(2), an authorized agent of a county road  
9 commission is not required to be **LICENSED OR** certified as a police  
10 officer under the **MICHIGAN** commission on law enforcement standards  
11 act, 1965 PA 203, MCL 28.601 to ~~28.616~~**28.615**, to enforce any law  
12 described in this subdivision.

13 Sec. 726c. (1) A duly authorized agent of a county road  
14 commission when enforcing sections 215, 255, 631(1), 717, 719,  
15 719a, 720, 722, 724, 725, and 726 shall wear a shoulder patch that  
16 is clearly visible and identifies the branch of government  
17 represented.

18 (2) A duly authorized agent of a county road commission shall  
19 not carry a firearm while enforcing sections 215, 255, 631(1), 717,  
20 719, 719a, 720, 722, 724, 725, and 726 unless he or she is **LICENSED**  
21 **OR** certified as a police officer under the **MICHIGAN** commission on  
22 law enforcement standards act, 1965 PA 203, MCL 28.601 to  
23 ~~28.616~~**28.615**.

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

26 Enacting section 2. This amendatory act does not take effect  
27 unless Senate Bill No. 92 or House Bill No. \_\_\_\_\_ (request no.

1 00913'15 \*) of the 98th Legislature is enacted into law.