

Act No. 304
Public Acts of 2016
Approved by the Governor
October 3, 2016
Filed with the Secretary of State
October 4, 2016
EFFECTIVE DATE: January 2, 2017

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Reps. Tedder and Kesto

ENROLLED HOUSE BILL No. 5500

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” 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:

Sec. 42. “Police officer” means any of the following:

- (a) A sheriff or sheriff’s deputy.
- (b) A village or township marshal.
- (c) An officer of the police department of any city, village, or township.
- (d) An officer of the Michigan state police.
- (e) A peace officer who is trained and licensed or certified under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.
- (f) For purposes of enforcing sections 215, 255, 631(1) other than for speed by noncommercial vehicle operators, 717, 719, 719a, 720, 722, 724, 725, and 726, a duly authorized agent of a county road commission meeting the requirements of section 726c. However, an authorized agent of a county road commission shall only enforce sections 215 and 255 with respect to commercial vehicles. Except as provided in section 726c(2), an authorized agent of a county road commission is not required to be licensed or certified as a police officer under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, to enforce any law described in this subdivision.

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

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

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

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 92 of the 98th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor