

Act No. 335
Public Acts of 2016
Approved by the Governor
December 8, 2016
Filed with the Secretary of State
December 9, 2016
EFFECTIVE DATE: March 9, 2017

STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016

Introduced by Senators Horn, Kowall, Jones, Stamas, Brandenburg, Warren, Hertel, Schmidt, Marleau, Ananich, Bieda, Knollenberg, Booher, Casperson, Emmons, Gregory, Hansen, Hildenbrand, Hood, Hopgood, Hune, Johnson, Knezek, MacGregor, Meekhof, Nofs, Pavlov, Proos, Robertson, Schuitmaker, Shirkey, Young and Zorn

ENROLLED SENATE BILL No. 998

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 2949b (MCL 600.2949b), as added by 2013 PA 251.

The People of the State of Michigan enact:

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

- (a) The conversion or attempted conversion of the vehicle into an automated motor vehicle by another person.
- (b) The installation of equipment in the vehicle by another person to convert it into an automated motor vehicle.
- (c) The modification by another person of equipment that was installed by the manufacturer in an automated motor vehicle specifically for using the vehicle in automatic mode.

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

(3) A motor vehicle mechanic or a motor vehicle repair facility that repairs an automated motor vehicle according to specifications from the manufacturer of the automated motor vehicle is not liable in a product liability action for damages resulting from the repairs.

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

(5) As used in this section:

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

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

(c) "Motor vehicle mechanic" means that term as defined in section 2 of the motor vehicle service and repair act, 1974 PA 300, MCL 257.1302.

(d) "Motor vehicle repair facility" means that term as defined in section 2 of the motor vehicle service and repair act, 1974 PA 300, MCL 257.1302.

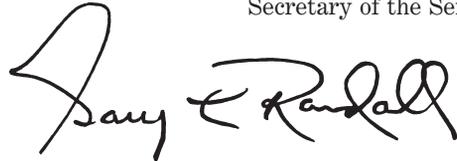
(e) "Vehicle" means that term as defined in section 79 of the Michigan vehicle code, 1949 PA 300, MCL 257.79.

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

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

.....
Governor