



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4013 (Substitute H-1 as passed by the House)
Sponsor: Representative Peter J. Lucido
House Committee: Insurance
Senate Committee: Insurance

Date Completed: 6-6-17

CONTENT

The bill would amend the Michigan Vehicle Code to allow for an electronic copy or a digital photograph of a vehicle registration certificate to satisfy the requirement that a registration certificate be carried in a vehicle or carried by the person driving a vehicle.

Section 223 of the Code states that a registration certificate must at all times be carried in the vehicle to which it refers or must be carried by the person driving or in control of the vehicle, who must display the registration certificate upon demand of a police officer.

Under the bill, a registration certificate would have to be carried by or electronically accessible to the person driving or in control of the vehicle, who would have to display a paper or electronic copy of the registration certificate upon demand of a police officer.

If a person displayed an electronic copy of his or her registration certificate using an electronic device, the police officer would be allowed only to view the electronic copy of the registration certificate and would not be allowed to manipulate the electronic device to view any other information on it. A person who displayed an electronic copy of his or her registration certificate using an electronic device would not be presumed to have consented to a search of the device. A police officer could require the person to electronically forward the electronic copy of the registration certificate to a specified location provided by the officer. The police officer then could view the electronic copy of the registration certificate in a setting in which it was safe for him or her to verify that the information contained in the electronic copy was valid and accurate.

The State, a law enforcement agency, or an employee of the State or a law enforcement agency would not be liable for damage to or loss of an electronic device that occurred as a result of a police officer's viewing an electronic copy of a registration certificate, regardless of whether the police officer or the owner or operator of the vehicle was in possession of the electronic device at the time the damage or loss occurred.

A digital photograph of a valid registration certificate would satisfy the requirements that a registration certificate be carried in the vehicle (or be electronically accessible, under the bill) and be displayed upon the request of a police officer.

(A person who violates Section 223 is responsible for a civil infraction. As a rule, a person responsible for a civil infraction under the Code is liable for a civil fine of up to \$100 plus costs and a justice system assessment.)

The bill would take effect 90 days after it was enacted.

MCL 257.223

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have no fiscal impact on State or local government, except to the extent that fewer individuals were in violation of Section 223 of the Code.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.