



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4888 (Substitute H-2 as reported without amendment)

Sponsor: Representative Dan Lauwers

House Committee: Transportation and Infrastructure

Senate Committee: Transportation

CONTENT

The bill would amend the Michigan Vehicle Code to include the following in the definition of "charitable or civic organization" as it relates to allowing a member of such an organization to stand in a roadway to solicit contributions on its behalf: clubs organized for pleasure, recreation, and other nonprofitable purposes; fraternal beneficiary societies, orders, or associations; and domestic fraternal societies, orders, or associations operating under the lodge system.

Under the Code, a person, without authority, may not block, obstruct, impede, or otherwise interfere with the normal flow of vehicular or pedestrian traffic upon a public street or highway in Michigan, by means of a barricade, object, or device, or with his or her own person. A person who violates this provision is responsible for a civil infraction.

However, this prohibition and any provision of the Michigan Administrative Code that prohibits a person from standing in a roadway other than a limited access highway for the purpose of soliciting a ride, employment, or business from the occupant of a vehicle do not apply to a person who is soliciting contributions on behalf of a charitable or civic organization during daylight hours, if certain criteria are satisfied.

For this purpose, "charitable or civic organization" means a nonprofit organization that is qualified under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code, or a veteran's organization that has tax-exempt status under the Code. The bill also would include in the definition a nonprofit organization that is qualified under Section 501(c)(7), 501(c)(8), or 501(c)(10) of the Code (which pertain to the types of organizations described above).

MCL 257.676b

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on the State and could have a negative fiscal impact on local government of an unknown amount. The provisions of the bill would expand the organizations that are allowed to solicit donations on roadways. However, it is unknown whether the additional organizations currently violate or would violate the prohibition. If the bill resulted in fewer civil infractions, it would reduce funding for public libraries from civil infraction fines.

Date Completed: 2-16-18

Fiscal Analyst: Ryan Bergan