

HOUSE BILL No. 5696

March 7, 2018, Introduced by Rep. Marino and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
(MCL 257.1 to 257.923) by adding section 602d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 602D. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), AN
2 INDIVIDUAL SHALL NOT USE HEADPHONES, EARBUDS, OR ANY OTHER AUDIO
3 DEVICE PLACED ON BOTH EARS WHILE OPERATING A MOTOR VEHICLE THAT IS
4 MOVING ON A PUBLIC HIGHWAY OR STREET OF THIS STATE. AS USED IN THIS
5 SUBSECTION, "HEADPHONES, EARBUDS, OR ANY OTHER AUDIO DEVICE PLACED
6 ON BOTH EARS" DOES NOT INCLUDE A HANDS-FREE COMMUNICATION DEVICE OR
7 AN ASSISTANCE DEVICE FOR THE DEAF OR HARD OF HEARING.

8 (2) SUBSECTION (1) DOES NOT APPLY TO ANY OF THE FOLLOWING:

9 (A) A POLICE OFFICER OR A FIRST RESPONDER, DURING THE PERIOD
10 THAT HE OR SHE IS ON DUTY.

1 (B) GOVERNMENT OR MILITARY PERSONNEL, IF THE USE IS
2 SPECIFICALLY RELATED TO HIS OR HER DUTIES.

3 (3) ENFORCEMENT OF THIS SECTION BY STATE OR LOCAL LAW
4 ENFORCEMENT AGENCIES SHALL BE ACCOMPLISHED ONLY AS A SECONDARY
5 ACTION WHEN AN OPERATOR OF A MOTOR VEHICLE HAS BEEN DETAINED FOR A
6 SUSPECTED VIOLATION OF ANOTHER SECTION OF THIS ACT.

7 (4) A PERSON WHO VIOLATES THIS SECTION IS RESPONSIBLE FOR A
8 CIVIL INFRACTION AND SHALL BE ORDERED TO PAY A CIVIL FINE OF
9 \$25.00.

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