

**SUBSTITUTE FOR
SENATE BILL NO. 216**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 303, 320a, 601c, 653a, and 907 (MCL 257.303,
257.320a, 257.601c, 257.653a, and 257.907), section 320a as amended
by 2023 PA 39, section 601c as added by 2001 PA 103, section 653a
as amended by 2018 PA 349, and section 907 as amended by 2024 PA
164, and by adding sections 79g and 79h; and to repeal acts and
parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 **Sec. 79g. (1) "Vulnerable roadway user" means any of the**
2 **following:**
3 **(a) A pedestrian.**
4 **(b) An individual using any of the following:**

1 (i) Roller skates.

2 (ii) Inline skates.

3 (iii) A nonmotorized scooter.

4 (iv) A nonmotorized skateboard.

5 (v) A wheelchair.

6 (c) An individual riding an equine or driving or riding an
7 equine-drawn carriage.

8 (d) An individual operating or riding a vulnerable
9 transportation device in compliance with this act.

10 (e) A United States Postal Service employee or contractor
11 operating a vehicle on that individual's rural postal route in the
12 course of delivering mail or parcels.

13 (2) As used in this section, "equine" means a horse, pony,
14 donkey, mule, or hinny.

15 Sec. 79h. "Vulnerable transportation device" means a device
16 in, on, or by which an individual is or may be transported or drawn
17 on a highway or street by human power, or by an electrical
18 propulsion system with a power of not greater than 750 watts or 1
19 horsepower and a maximum speed on a paved level surface of not more
20 than 30 miles per hour. Vulnerable transportation device includes,
21 but is not limited to, all of the following:

22 (a) An electric personal assistive mobility device as that
23 term is defined in section 13c.

24 (b) An electric bicycle as that term is defined in section
25 13e.

26 (c) An electric skateboard as that term is defined in section
27 13f.

28 (d) A bicycle as that term is defined in section 4.

29 Sec. 303. (1) The secretary of state shall not issue a license

1 under this act to any of the following individuals:

2 (a) An individual, as an operator, who is less than 18 years
3 of age, except as otherwise provided in this act.

4 (b) An individual, as a chauffeur, who is less than 18 years
5 of age, except as otherwise provided in this act.

6 (c) An individual whose license is suspended, revoked, denied,
7 or canceled in any state. If the suspension, revocation, denial, or
8 cancellation is not from the jurisdiction that issued the last
9 license to the individual, the secretary of state may issue a
10 license after the expiration of 5 years from the effective date of
11 the most recent suspension, revocation, denial, or cancellation.

12 (d) An individual who in the opinion of the secretary of state
13 is afflicted with or suffering from a physical or mental disability
14 or disease that prevents the individual from exercising reasonable
15 and ordinary control over a motor vehicle while operating the motor
16 vehicle on the highways.

17 (e) An individual who is unable to understand highway warning
18 or direction signs in the English language.

19 (f) An individual who is unable to pass a knowledge, skill, or
20 ability test administered by the secretary of state in connection
21 with issuing an original operator's or chauffeur's license,
22 original motorcycle ~~indorsement~~, **endorsement**, or an original or
23 renewal of a vehicle group designation or vehicle
24 ~~indorsement~~. **endorsement**.

25 (g) A nonresident, including, but not limited to, a foreign
26 exchange student.

27 (h) An individual who has failed to answer a citation or
28 notice to appear in court or for any matter pending or fails to
29 comply with an order or judgment of the court, including, but not

1 limited to, paying all fines, costs, fees, and assessments, in
2 violation of section 321a, until that individual answers the
3 citation or notice to appear in court or for any matter pending or
4 complies with an order or judgment of the court, including, but not
5 limited to, paying all fines, costs, fees, and assessments, as
6 provided under section 321a.

7 (i) An individual not licensed under this act who has been
8 convicted of, has received a juvenile disposition for, or has been
9 determined responsible for a crime or civil infraction described in
10 section 319, 324, or 904. An individual ~~shall~~**must** be denied a
11 license under this subdivision for the length of time corresponding
12 to the period of the licensing sanction that would have been
13 imposed under section 319, 324, or 904 if the individual had been
14 licensed at the time of the violation.

15 (j) An individual not licensed under this act who is
16 determined to have violated section 624a or 624b. The individual
17 ~~shall~~**must** be denied a license under this subdivision for a period
18 of time that corresponds to the period of the licensing sanction
19 that would have been imposed under those sections had the
20 individual been licensed at the time of the violation.

21 (k) An individual whose commercial driver license application
22 is canceled under section 324(2).

23 (l) Unless otherwise eligible under section 307(1), an
24 individual who is not a citizen of the United States.

25 (2) On receiving the appropriate records of conviction, the
26 secretary of state shall revoke the operator's or chauffeur's
27 license of an individual and deny issuance of an operator's or
28 chauffeur's license to an individual who has any of the following,
29 whether under a law of this state, a local ordinance that

1 substantially corresponds to a law of this state, a law of another
2 state that substantially corresponds to a law of this state, or,
3 beginning October 31, 2010, a law of the United States that
4 substantially corresponds to a law of this state:

5 (a) Any combination of 2 convictions within 7 years for
6 reckless driving in violation of section 626 before October 31,
7 2010 or, beginning October 31, 2010, 626(2).

8 (b) Any combination of 2 or more convictions within 7 years
9 for any of the following:

10 (i) A felony in which a motor vehicle was used.

11 (ii) A violation or attempted violation of section 601b(2) or
12 (3), section 601c(1), ~~or~~ (2), **(3), or (4)**, section 602a(4) or (5),
13 section 617, section 653a(3) or (4), or section 904(4) or (5).

14 (iii) Negligent homicide, manslaughter, or murder that results
15 from the operation of a vehicle or an attempt to commit any of
16 those crimes.

17 (iv) A violation or attempted violation of section 479a(4) or
18 (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

19 (c) Any combination of 2 convictions within 7 years for any of
20 the following or a combination of 1 conviction for a violation or
21 attempted violation of section 625(6) and 1 conviction for any of
22 the following within 7 years:

23 (i) A violation or attempted violation of section 625, except a
24 violation of section 625(2), or a violation of any prior enactment
25 of section 625 in which the defendant operated a vehicle while
26 under the influence of intoxicating or alcoholic liquor or a
27 controlled substance, or a combination of intoxicating or alcoholic
28 liquor and a controlled substance, or while visibly impaired, or
29 with an unlawful bodily alcohol content.

1 (ii) A violation or attempted violation of section 625m.

2 (iii) A violation or attempted violation of former section 625b.

3 (d) One conviction for a violation or attempted violation of
4 section 315(5), section 601b(3), section ~~601e(2)~~, **601c(3) or (4)**,
5 section 602a(4) or (5), section 617, section 625(4) or (5), section
6 653a(4), section 904(4) or (5), or, beginning October 31, 2010,
7 section 626(3) or (4).

8 (e) One conviction of negligent homicide, manslaughter, or
9 murder that results from the operation of a vehicle or an attempt
10 to commit any of those crimes.

11 (f) One conviction for a violation or attempted violation of
12 section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL
13 750.479a.

14 (g) Any combination of 3 convictions within 10 years for any
15 of the following or 1 conviction for a violation or attempted
16 violation of section 625(6) and any combination of 2 convictions
17 for any of the following within 10 years, if any of the convictions
18 resulted from an arrest on or after January 1, 1992:

19 (i) A violation or attempted violation of section 625, except a
20 violation of section 625(2), or a violation of any prior enactment
21 of section 625 in which the defendant operated a vehicle while
22 under the influence of intoxicating or alcoholic liquor or a
23 controlled substance, or a combination of intoxicating or alcoholic
24 liquor and a controlled substance, or while visibly impaired, or
25 with an unlawful bodily alcohol content.

26 (ii) A violation or attempted violation of section 625m.

27 (iii) A violation or attempted violation of former section 625b.

28 (3) The secretary of state shall revoke a license under
29 subsection (2) notwithstanding a court order unless the court order

1 complies with section 323.

2 (4) Except as otherwise provided under section 304, the
3 secretary of state shall not issue a license under this act to an
4 individual whose license has been revoked under this act or revoked
5 and denied under subsection (2) until all of the following occur,
6 as applicable:

7 (a) The later of the following:

8 (i) The expiration of not less than 1 year after the license
9 was revoked or denied.

10 (ii) The expiration of not less than 5 years after the date of
11 a subsequent revocation or denial occurring within 7 years after
12 the date of any prior revocation or denial.

13 (b) For a denial under subsection (2)(a), (b), (c), and (g),
14 the individual rebuts by clear and convincing evidence the
15 presumption that results from the prima facie evidence that the
16 individual is a habitual offender. The convictions that resulted in
17 the revocation and denial constitute prima facie evidence that the
18 individual is a habitual offender.

19 (c) The individual meets the requirements of the department.

20 (5) The secretary of state shall deny issuing a vehicle group
21 designation to an individual under either of the following
22 circumstances:

23 (a) The individual has been disqualified by the United States
24 Secretary of Transportation from operating a commercial motor
25 vehicle.

26 (b) Beginning on and after January 30, 2012, the individual
27 does not meet the requirements of the federal regulations under 49
28 CFR parts 383 and 391 by refusing to certify the type of commercial
29 motor vehicle operation the individual intends to perform and, if

1 required, fails to present to the secretary of state a valid
2 medical certification.

3 (6) Multiple convictions or civil infraction determinations
4 that result from the same incident must be treated as a single
5 violation for purposes of denial or revocation of a license under
6 this section.

7 (7) As used in this section, "felony in which a motor vehicle
8 was used" means a felony during the commission of which the
9 individual operated a motor vehicle and while operating the vehicle
10 presented real or potential harm to individuals or property and 1
11 or more of the following circumstances existed:

12 (a) The vehicle was used as an instrument of the felony.

13 (b) The vehicle was used to transport a victim of the felony.

14 (c) The vehicle was used to flee the scene of the felony.

15 (d) The vehicle was necessary for the commission of the
16 felony.

17 Sec. 320a. (1) ~~Within~~ **Not later than** 5 days after receipt of a
18 properly prepared abstract from a court of this state or another
19 state, the secretary of state shall record the date of conviction,
20 civil infraction determination, or probate court disposition, and
21 the number of points for each, based on the following formula,
22 except as otherwise provided in this section and section 629c:

23 (a) Manslaughter, negligent homicide, or a felony
24 resulting from the operation of a motor vehicle, ORV, or
25 snowmobile 6 points

26 (b) A violation of section 601b(2) or (3), 601c(1),
27 ~~or~~ (2), **(3), or (4)**, or 653a(3) or (4) or, beginning
28 October 31, 2010, a violation of section 601d 6 points

- 1 (c) A violation of section 625(1), (4), (5), (7), or
 2 (8), section 81134 or 82127(1) of the natural resources
 3 and environmental protection act, 1994 PA 451, MCL
 4 324.81134 and 324.82127, or a law or ordinance
 5 substantially corresponding to section 625(1), (4), (5),
 6 (7), or (8), or section 81134 or 82127(1) of the natural
 7 resources and environmental protection act, 1994 PA 451,
 8 MCL 324.81134 and 324.82127 6 points
- 9 (d) Failing to stop and disclose identity at the
 10 scene of an accident when required by law 6 points
- 11 (e) Operating a motor vehicle in violation of section
 12 626 6 points
- 13 (f) Fleeing or eluding an officer 6 points
- 14 (g) A violation of section 627(6) pertaining to speed
 15 in a work zone described in that section by exceeding the
 16 lawful maximum by more than 15 miles per hour 5 points
- 17 (h) A violation of any law or ordinance pertaining to
 18 speed by exceeding the lawful maximum by more than 15
 19 miles per hour 4 points
- 20 (i) A violation of section 625(3) or (6), section
 21 82127(3) of the natural resources and environmental
 22 protection act, 1994 PA 451, MCL 324.82127, or a law or
 23 ordinance substantially corresponding to section 625(3) or
 24 (6) or section 82127(3) of the natural resources and
 25 environmental protection act, 1994 PA 451, MCL 324.82127 4 points
- 26 (j) A violation of section 626a or a law or ordinance
 27 substantially corresponding to section 626a 4 points

- 1 (k) A violation of section 627(6) pertaining to speed
 2 in a work zone described in that section by exceeding the
 3 lawful maximum by more than 10 but not more than 15 miles
 4 per hour 4 points
- 5 (l) Beginning October 31, 2010, a moving violation
 6 resulting in an at-fault collision with another vehicle,
 7 an individual, or any other object 4 points
- 8 (m) Careless driving in violation of section 626b or
 9 a law or ordinance substantially corresponding to section
 10 626b 3 points
- 11 (n) A violation of any law or ordinance pertaining to
 12 speed by exceeding the lawful maximum by more than 10
 13 miles per hour but not more than 15 miles per hour 3 points
- 14 (o) A violation of section 653a(2) 2 points
- 15 (p) A violation of any law or ordinance pertaining to
 16 speed by exceeding the lawful maximum by more than 5 miles
 17 per hour but not more than 10 miles per hour 2 points
- 18 (q) A violation of any law or ordinance pertaining to
 19 speed by exceeding the lawful maximum by more than 1 mile
 20 per hour but not more than 5 miles per hour 1 point
- 21 (r) Disobeying a traffic signal or stop sign, or
 22 improper passing 3 points
- 23 (s) A violation of section 624a, 624b, or a law or
 24 ordinance substantially corresponding to section 624a or
 25 624b 2 points
- 26 (t) A violation of section 310e(4) or (6) or a law or
 27 ordinance substantially corresponding to section 310e(4)
 28 or (6) 2 points

1 (u) All other moving violations pertaining to the
2 operation of motor vehicles reported under this section 2 points

3 (v) A refusal by an individual less than 21 years of
4 age to submit to a preliminary breath test required by a
5 peace officer under section 625a 2 points

6 (w) A violation of section 627(6) pertaining to speed
7 in a work zone described in that section by exceeding the
8 lawful maximum by 10 miles per hour or less 3 points

9 (x) A third or subsequent violation of section 602b 2 points

10 (y) A second violation of section 602b 1 point

11 (2) Points must not be entered for a violation of section
12 310e(14), 311, 602c, 625m, 658, 710d, 717, 719, 719a, or 723.

13 (3) Points must not be entered for bond forfeitures.

14 (4) Points must not be entered for overweight loads or for
15 defective equipment.

16 (5) If more than 1 conviction, civil infraction determination,
17 or probate court disposition results from the same incident, points
18 must be entered only for the violation that receives the highest
19 number of points under this section.

20 (6) If an individual has accumulated 9 points as provided in
21 this section, the secretary of state may call the individual in for
22 an interview as to the individual's driving ability and record
23 after due notice as to time and place of the interview. If the
24 individual fails to appear as provided in this subsection, the
25 secretary of state shall add 3 points to the individual's record.

26 (7) If an individual violates a speed restriction established
27 by an executive order issued during a state of energy emergency as
28 provided by 1982 PA 191, MCL 10.81 to 10.89, the secretary of state
29 shall enter points for the violation under subsection (1).

1 (8) The secretary of state shall enter 6 points upon the
2 record of an individual whose license is suspended or denied under
3 section 625f. However, if a conviction, civil infraction
4 determination, or probate court disposition results from the same
5 incident, additional points for that offense must not be entered.

6 (9) If a Michigan driver commits a violation in another state
7 that would be a civil infraction if committed in this state, and a
8 conviction results solely because of the failure of the Michigan
9 driver to appear in that state to contest the violation, upon
10 receipt of the abstract of conviction by the secretary of state,
11 the violation must be noted on the Michigan driver's record, but
12 points must not be assessed against the Michigan driver license.

13 Sec. 601c. (1) ~~A person~~ **An individual** who commits a moving
14 violation ~~that has criminal penalties~~ and as a result causes injury
15 to a ~~person~~ **vulnerable roadway user who is in compliance with this**
16 **act or an individual** operating an implement of husbandry on a
17 highway in compliance with this act is guilty of a misdemeanor
18 punishable by imprisonment for not more than 1 year or a fine of
19 not more than \$1,000.00, or both.

20 (2) **An individual who commits a moving violation and as a**
21 **result causes a serious injury requiring inpatient treatment at a**
22 **hospital or post-acute rehabilitation facility to a vulnerable**
23 **roadway user who is in compliance with this act or an individual**
24 **operating an implement of husbandry on a highway in compliance with**
25 **this act is guilty of a felony punishable by imprisonment for not**
26 **more than 5 years or a fine of not more than \$5,000.00, or both.**

27 (3) **An individual who commits a moving violation and as a**
28 **result causes death to a vulnerable roadway user who is in**
29 **compliance with this act is guilty of a felony punishable by**

1 imprisonment for not more than 10 years or a fine of not more than
2 \$7,500.00, or both.

3 (4) ~~(2) A person~~ **An individual** who commits a moving violation
4 ~~that has criminal penalties and as a result causes death to a~~
5 ~~person~~ **an individual** operating an implement of husbandry on a
6 highway in compliance with this act is guilty of a felony
7 punishable by imprisonment for not more than 15 years or a fine of
8 not more than \$7,500.00, or both.

9 (5) **This section does not prohibit an individual from being**
10 **charged with, convicted of, or punished for a violation of any**
11 **other law committed by the individual while violating this section,**
12 **except for a violation of section 626(4).**

13 (6) ~~(3)~~ As used in this section: ~~,"moving~~

14 (a) **"Hospital" means that term as defined in section 20106 of**
15 **the public health code, 1978 PA 368, MCL 333.20106.**

16 (b) **"Moving violation"** means an act or omission prohibited
17 under this act or a local ordinance substantially corresponding to
18 this act that occurs while ~~a person~~ **an individual** is operating a
19 motor vehicle, and for which the ~~person~~ **individual** is subject to a
20 fine.

21 (c) **"Serious injury" means that term as defined in section**
22 **602a.**

23 Sec. 653a. (1) Upon approaching and passing a stationary
24 ~~authorized emergency~~ vehicle that is giving a visual signal by
25 means of flashing, rotating, or oscillating red, blue, white, ~~or~~
26 **amber, or green** lights as permitted by section 698, **or by means of**
27 **front and rear warning lamps as permitted by section 698a,** the
28 driver of an approaching vehicle shall exhibit due care and
29 caution, as required under the following:

1 (a) On any public roadway with at least 2 adjacent lanes
 2 proceeding in the same direction of the stationary ~~authorized~~
 3 ~~emergency~~ vehicle, the driver of the approaching vehicle shall
 4 proceed with caution, reduce ~~his or her~~ **the vehicle's** speed by at
 5 least 10 miles per hour below the posted speed limit, and yield the
 6 right-of-way by moving into a lane at least 1 moving lane or 2
 7 vehicle widths apart from the stationary ~~authorized emergency~~
 8 vehicle, unless directed otherwise by a police officer. If movement
 9 to an adjacent lane or 2 vehicle widths apart is not possible due
 10 to weather, road conditions, or the immediate presence of vehicular
 11 or pedestrian traffic in parallel moving lanes, the driver of the
 12 approaching vehicle shall proceed as required in subdivision (b).

13 (b) On any public roadway that does not have at least 2
 14 adjacent lanes proceeding in the same direction as the stationary
 15 ~~authorized emergency~~ vehicle, or if the movement by the driver of
 16 the vehicle into an adjacent lane or 2 vehicle widths apart is not
 17 possible as described in subdivision (a), the approaching ~~vehicle~~
 18 **driver** shall proceed with due care and caution and reduce ~~his or~~
 19 ~~her~~ **the vehicle's** speed by at least 10 miles per hour below the
 20 posted speed limit, or as directed by a police officer.

21 (2) Except as provided in ~~this subsection and subsections (3)~~
 22 ~~and (4), a person who violates this section is guilty of a~~
 23 ~~misdemeanor punishable by a fine of not more than \$500.00 or~~
 24 ~~imprisonment for not more than 90 days, or both. Beginning 60 days~~
 25 ~~after the effective date of the amendatory act that amended this~~
 26 ~~subsection, except as provided in subsections (3) and (4), a person~~
 27 **an individual** who violates this section is responsible for a civil
 28 infraction and ~~shall~~ **must** be ordered to pay a civil fine of
 29 ~~\$400.00.~~ **as follows:**

1 (a) For an individual who violates this section except as
2 described in subdivision (b), \$400.00.

3 (b) For an individual who violates this section and the
4 stationary vehicle is an authorized emergency vehicle with a police
5 officer, firefighter, or other emergency response personnel
6 present, \$750.00.

7 (3) ~~A person~~**An individual** who violates this section and
8 causes injury to a police officer, firefighter, or other emergency
9 response personnel in the immediate area of ~~the~~**a** stationary
10 authorized emergency vehicle is guilty of a felony punishable by a
11 fine of not more than \$1,000.00 or imprisonment for not more than 2
12 years, or both.

13 (4) ~~A person~~**An individual** who violates this section and
14 causes death to a police officer, firefighter, or other emergency
15 response personnel in the immediate area of ~~the~~**a** stationary
16 authorized emergency vehicle is guilty of a felony punishable by a
17 fine of not more than \$7,500.00 or by imprisonment for not more
18 than 15 years, or both.

19 (5) The ~~operator~~**driver** of a vehicle ~~upon~~**on** a highway that
20 has been divided into 2 roadways by leaving an intervening space,
21 or by a physical barrier or clearly indicated dividing sections so
22 constructed as to impede vehicular traffic, is not required to
23 proceed with caution, reduce ~~his or her~~**the vehicle's** speed, or
24 yield the right-of-way for ~~an authorized emergency~~**a stationary**
25 vehicle that is stopped across the dividing space, barrier, or
26 section.

27 (6) **This section does not prohibit an individual from being**
28 **charged with, convicted of, or punished for any other violation of**
29 **law.**

1 Sec. 907. (1) A violation of this act, or a local ordinance
2 that substantially corresponds to a provision of this act, that is
3 designated a civil infraction must not be considered a lesser
4 included offense of a criminal offense.

5 (2) Permission may be granted for payment of a civil fine and
6 costs to be made within a specified period of time or in specified
7 installments but, unless permission is included in the order or
8 judgment, the civil fine and costs must be payable immediately.
9 Except as otherwise provided, a person found responsible or
10 responsible "with explanation" for a civil infraction must pay
11 costs as provided in subsection (4) and 1 or more of the following
12 civil fines, as applicable:

13 (a) Except as otherwise provided, for a civil infraction under
14 this act or a local ordinance that substantially corresponds to a
15 provision of this act, the person must be ordered to pay a civil
16 fine of not more than \$100.00.

17 (b) If the civil infraction was a moving violation that
18 resulted in an at-fault collision with another vehicle, an
19 individual, or any other object, the civil fine ordered under this
20 section is increased by \$25.00 but the total civil fine must not be
21 more than \$100.00.

22 (c) For a violation of section 240, the civil fine ordered
23 under this section is \$15.00.

24 (d) For a violation of section 312a(4) (a), the civil fine
25 ordered under this section must not be more than \$250.00.

26 (e) For a first violation of section 319f(1), the civil fine
27 ordered under this section must not be less than \$2,500.00 or more
28 than \$2,750.00; for a second or subsequent violation, the civil
29 fine must not be less than \$5,000.00 or more than \$5,500.00.

1 (f) For a violation of section 319g(1)(a), the civil fine
2 ordered under this section must not be more than \$10,000.00.

3 (g) For a violation of section 319g(1)(g), the civil fine
4 ordered under this section must not be less than \$2,750.00 or more
5 than \$25,000.00.

6 (h) For a violation of section 602b, the civil fine ordered
7 under this section must be as follows:

8 (i) For a violation of section 602b(1), either of the
9 following:

10 (A) If the violation does not involve an accident, \$100.00 for
11 a first offense and \$250.00 for a second or subsequent offense.

12 (B) If the violation involves an accident, \$200.00 for a first
13 offense and \$500.00 for a second or subsequent offense.

14 (ii) For a violation of section 602b(2), either of the
15 following:

16 (A) If the violation does not involve an accident, \$200.00 for
17 a first offense and \$500.00 for a second or subsequent offense.

18 (B) If the violation involves an accident, \$400.00 for a first
19 offense and \$1,000.00 for a second or subsequent offense.

20 (i) For a violation of section 627c, the civil fine ordered
21 under this section must not be more than \$150.00 for a second
22 violation as described in section 627c(2)(b) and \$300.00 for a
23 third or subsequent violation described in section 627c(2)(c).

24 **(j) For a violation of section 653a(2), the civil fine ordered**
25 **under this section must be either of the following:**

26 **(i) For a violation described in section 653a(2)(a), \$400.00.**

27 **(ii) For a violation described in section 653a(2)(b), \$750.00.**

28 **(k) ~~(j)~~—**For a violation of section 674(1)(s) or a local
29 ordinance that substantially corresponds to section 674(1)(s), the

1 civil fine ordered under this section must not be less than \$100.00
2 or more than \$250.00.

3 (l) ~~(k)~~—For a violation of section 676a(3), the civil fine
4 ordered under this section must not be more than \$10.00.

5 (m) ~~(l)~~—For a violation of section 676c, the civil fine ordered
6 under this section is \$1,000.00.

7 (n) ~~(m)~~—For a violation of section 682 or a local ordinance
8 that substantially corresponds to section 682, the civil fine
9 ordered under this section must not be less than \$100.00 or more
10 than \$500.00.

11 (o) ~~(n)~~—For a violation of section 710d, the civil fine
12 ordered under this section must not be more than \$10.00, subject to
13 subsection (11).

14 (p) ~~(o)~~—For a violation of section 710e, the civil fine and
15 court costs ordered under this subsection must be \$25.00.

16 (3) Except as otherwise provided in this section, if an
17 individual is determined to be responsible or responsible "with
18 explanation" for a civil infraction under this act or a local
19 ordinance that substantially corresponds to a provision of this act
20 while driving a commercial motor vehicle, the individual must be
21 ordered to pay costs as provided in subsection (4) and a civil fine
22 of not more than \$250.00.

23 (4) If a civil fine is ordered under subsection (2) or (3),
24 the judge or district court magistrate shall summarily tax and
25 determine the costs of the action, which are not limited to the
26 costs taxable in ordinary civil actions, and may include all
27 expenses, direct and indirect, to which the plaintiff has been put
28 in connection with the civil infraction, up to the entry of
29 judgment. Costs must not be ordered in excess of \$100.00. A civil

1 fine ordered under subsection (2) or (3) must not be waived unless
2 costs ordered under this subsection are waived. Except as otherwise
3 provided by law, costs are payable to the general fund of the
4 plaintiff.

5 (5) In addition to a civil fine and costs ordered under
6 subsection (2) or (3) and subsection (4) and the justice system
7 assessment ordered under subsection (12), the judge or district
8 court magistrate may order the individual to attend and complete a
9 program of treatment, education, or rehabilitation.

10 (6) A district court magistrate shall impose the sanctions
11 permitted under subsections (2), (3), and (5) only to the extent
12 expressly authorized by the chief judge or only judge of the
13 district court district.

14 (7) Each district of the district court and each municipal
15 court may establish a schedule of civil fines, costs, and
16 assessments to be imposed for civil infractions that occur within
17 the respective district or city. If a schedule is established, it
18 must be prominently posted and readily available for public
19 inspection. A schedule need not include all violations that are
20 designated by law or ordinance as civil infractions. A schedule may
21 exclude cases on the basis of a defendant's prior record of civil
22 infractions or traffic offenses, or a combination of civil
23 infractions and traffic offenses.

24 (8) The state court administrator shall annually publish and
25 distribute to each district and court a recommended range of civil
26 fines and costs for first-time civil infractions. This
27 recommendation is not binding on the courts that have jurisdiction
28 over civil infractions but is intended to act as a normative guide
29 for judges and district court magistrates and a basis for public

1 evaluation of disparities in the imposition of civil fines and
2 costs throughout this state.

3 (9) If a person has received a civil infraction citation for
4 defective safety equipment on a vehicle under section 683, the
5 court shall waive a civil fine, costs, and assessments on receipt
6 of certification by a law enforcement agency that repair of the
7 defective equipment was made before the appearance date on the
8 citation.

9 (10) A default in the payment of a civil fine or costs ordered
10 under subsection (2), (3), or (4) or a justice system assessment
11 ordered under subsection (12), or an installment of the fine,
12 costs, or assessment, may be collected by a means authorized for
13 the enforcement of a judgment under chapter 40 of the revised
14 judicature act of 1961, 1961 PA 236, MCL 600.4001 to 600.4065, or
15 under chapter 60 of the revised judicature act of 1961, 1961 PA
16 236, MCL 600.6001 to 600.6098.

17 (11) Before ~~the effective date of 2024 PA 22, April 2, 2025,~~
18 the court may waive any civil fine, cost, or assessment against an
19 individual who received a civil infraction citation for a violation
20 of section 710d if the individual, before the appearance date on
21 the citation, supplies the court with evidence of acquisition,
22 purchase, or rental of a child seating system meeting the
23 requirements of section 710d. Beginning on ~~the effective date of~~
24 ~~2024 PA 22, April 2, 2025,~~ the court may waive any civil fine,
25 cost, or assessment against an individual who received a civil
26 infraction citation for a violation of section 710d if the
27 individual, before the appearance date on the citation, supplies
28 the court with evidence of acquisition of a child seating system
29 that meets the requirements of section 710d and evidence that the

1 individual has received education from a certified child passenger
2 safety technician.

3 (12) In addition to any civil fines or costs ordered to be
4 paid under this section, the judge or district court magistrate
5 shall order the defendant to pay a justice system assessment of
6 \$40.00 for each civil infraction determination, except for a
7 parking violation or a violation for which the total fine and costs
8 imposed are \$10.00 or less. On payment of the assessment, the clerk
9 of the court shall transmit the assessment collected to the state
10 treasury to be deposited into the justice system fund created in
11 section 181 of the revised judicature act of 1961, 1961 PA 236, MCL
12 600.181. An assessment levied under this subsection is not a civil
13 fine for purposes of section 909.

14 (13) If a person has received a citation for a violation of
15 section 223, the court shall waive any civil fine, costs, and
16 assessment on receipt of certification by a law enforcement agency
17 that the person, before the appearance date on the citation,
18 produced a valid registration certificate that was valid on the
19 date the violation of section 223 occurred.

20 (14) If a person has received a citation for a violation of
21 section 328(1) for failing to produce a certificate of insurance
22 under section 328(2), the court may waive the fee described in
23 section 328(3)(c) and shall waive any fine, costs, and any other
24 fee or assessment otherwise authorized under this act on receipt of
25 verification by the court that the person, before the appearance
26 date on the citation, produced valid proof of insurance that was in
27 effect when the violation of section 328(1) occurred. Insurance
28 obtained after the violation occurred does not make the person
29 eligible for a waiver under this subsection.

1 (15) If a person is determined to be responsible or
2 responsible "with explanation" for a civil infraction under this
3 act or a local ordinance that substantially corresponds to a
4 provision of this act and the civil infraction arises out of the
5 ownership or operation of a commercial quadricycle, the person must
6 be ordered to pay costs as provided in subsection (4) and a civil
7 fine of not more than \$500.00.

8 (16) As used in this section, "moving violation" means an act
9 or omission prohibited under this act or a local ordinance that
10 substantially corresponds to this act that involves the operation
11 of a motor vehicle and for which a fine may be assessed.

12 Enacting section 1. Section 653b of the Michigan vehicle code,
13 1949 PA 300, MCL 257.653b, is repealed.

14 Enacting section 2. This amendatory act takes effect 90 days
15 after the date it is enacted into law.

16 Enacting section 3. This amendatory act does not take effect
17 unless Senate Bill No. 217 of the 103rd Legislature is enacted into
18 law.