

SENATE BILL NO. 216

April 17, 2025, Introduced by Senators MCCANN, WOJNO, KLINEFELT and SHINK and referred to Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 303, 320a, 601c, and 653a (MCL 257.303,
257.320a, 257.601c, and 257.653a), section 303 as amended by 2024
PA 42, section 320a as amended by 2023 PA 39, section 601c as added
by 2001 PA 103, and section 653a as amended by 2018 PA 349, 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**

1 following:

2 (a) A pedestrian.

3 (b) An individual using any of the following:

4 (i) Roller skates.

5 (ii) Inline skates.

6 (iii) A nonmotorized scooter.

7 (iv) A nonmotorized skateboard.

8 (v) A wheelchair.

9 (c) An individual riding an equine or driving or riding an
10 equine-drawn carriage.

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

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

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

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

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

27 (b) An electric bicycle as that term is defined in section
28 13e.

29 (c) An electric skateboard as that term is defined in section

1 13f.

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

3 Sec. 303. (1) The secretary of state shall not issue a license
4 under this act to any of the following individuals:

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

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

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

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

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

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

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

1 (h) An individual who has failed to answer a citation or
2 notice to appear in court or for any matter pending or fails to
3 comply with an order or judgment of the court, including, but not
4 limited to, paying all fines, costs, fees, and assessments, in
5 violation of section 321a, until that individual answers the
6 citation or notice to appear in court or for any matter pending or
7 complies with an order or judgment of the court, including, but not
8 limited to, paying all fines, costs, fees, and assessments, as
9 provided under section 321a.

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

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

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

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

28 (2) On receiving the appropriate records of conviction, the
29 secretary of state shall revoke the operator's or chauffeur's

1 license of an individual and deny issuance of an operator's or
2 chauffeur's license to an individual who has any of the following,
3 whether under a law of this state, a local ordinance that
4 substantially corresponds to a law of this state, a law of another
5 state that substantially corresponds to a law of this state, or,
6 beginning October 31, 2010, a law of the United States that
7 substantially corresponds to a law of this state:

8 (a) Any combination of 2 convictions within 7 years for
9 reckless driving in violation of section 626 before October 31,
10 2010 or, beginning October 31, 2010, 626(2).

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

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

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

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

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

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

26 (i) A violation or attempted violation of section 625, except a
27 violation of section 625(2), or a violation of any prior enactment
28 of section 625 in which the defendant operated a vehicle while
29 under the influence of intoxicating or alcoholic liquor or a

1 controlled substance, or a combination of intoxicating or alcoholic
2 liquor and a controlled substance, or while visibly impaired, or
3 with an unlawful bodily alcohol content.

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

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

6 (d) One conviction for a violation or attempted violation of
7 section 315(5), section 601b(3), section ~~601e(2)~~, **601c(3) or (4)**,
8 section 602a(4) or (5), section 617, section 625(4) or (5), section
9 653a(4), section 904(4) or (5), or, beginning October 31, 2010,
10 section 626(3) or (4).

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

14 (f) One conviction for a violation or attempted violation of
15 section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL
16 750.479a.

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

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

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

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

2 (3) The secretary of state shall revoke a license under
3 subsection (2) notwithstanding a court order unless the court order
4 complies with section 323.

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

10 (a) The later of the following:

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

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

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

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

23 (5) The secretary of state shall deny issuing a vehicle group
24 designation to an individual under either of the following
25 circumstances:

26 (a) The individual has been disqualified by the United States
27 Secretary of Transportation from operating a commercial motor
28 vehicle.

29 (b) Beginning on and after January 30, 2012, the individual

1 does not meet the requirements of the federal regulations under 49
 2 CFR parts 383 and 391 by refusing to certify the type of commercial
 3 motor vehicle operation the individual intends to perform and, if
 4 required, fails to present to the secretary of state a valid
 5 medical certification.

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

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

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

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

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

18 (d) The vehicle was necessary for the commission of the
 19 felony.

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

26 (a) Manslaughter, negligent homicide, or a felony
 27 resulting from the operation of a motor vehicle, ORV, or
 28 snowmobile

6 points

- 1 (b) A violation of section 601b(2) or (3), 601c(1),
 2 ~~or~~ (2), (3), or (4), or 653a(3) or (4) or, beginning
 3 October 31, 2010, a violation of section 601d 6 points
- 4 (c) A violation of section 625(1), (4), (5), (7), or
 5 (8), section 81134 or 82127(1) of the natural resources
 6 and environmental protection act, 1994 PA 451, MCL
 7 324.81134 and 324.82127, or a law or ordinance
 8 substantially corresponding to section 625(1), (4), (5),
 9 (7), or (8), or section 81134 or 82127(1) of the natural
 10 resources and environmental protection act, 1994 PA 451,
 11 MCL 324.81134 and 324.82127 6 points
- 12 (d) Failing to stop and disclose identity at the
 13 scene of an accident when required by law 6 points
- 14 (e) Operating a motor vehicle in violation of section
 15 626 6 points
- 16 (f) Fleeing or eluding an officer 6 points
- 17 (g) A violation of section 627(6) pertaining to speed
 18 in a work zone described in that section by exceeding the
 19 lawful maximum by more than 15 miles per hour 5 points
- 20 (h) A violation of any law or ordinance pertaining to
 21 speed by exceeding the lawful maximum by more than 15
 22 miles per hour 4 points
- 23 (i) A violation of section 625(3) or (6), section
 24 82127(3) of the natural resources and environmental
 25 protection act, 1994 PA 451, MCL 324.82127, or a law or
 26 ordinance substantially corresponding to section 625(3) or
 27 (6) or section 82127(3) of the natural resources and
 28 environmental protection act, 1994 PA 451, MCL 324.82127 4 points

1 (t) A violation of section 310e(4) or (6) or a law or
 2 ordinance substantially corresponding to section 310e(4)
 3 or (6) 2 points

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

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

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

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

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

14 (2) Points must not be entered for a violation of section
 15 310e(14), 311, 602c, 625m, 658, 710d, 717, 719, 719a, or 723.

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

17 (4) Points must not be entered for overweight loads or for
 18 defective equipment.

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

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

29 (7) If an individual violates a speed restriction established

1 by an executive order issued during a state of energy emergency as
2 provided by 1982 PA 191, MCL 10.81 to 10.89, the secretary of state
3 shall enter points for the violation under subsection (1).

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

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

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

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

1 (3) An individual who commits a moving violation and as a
 2 result causes death to a vulnerable roadway user who is in
 3 compliance with this act is guilty of a felony punishable by
 4 imprisonment for not more than 10 years or a fine of not more than
 5 \$7,500.00, or both.

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

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

16 (6) ~~(3)~~ As used in this section: ~~,"moving~~

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

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

24 (c) "Serious injury" means that term as defined in section
 25 602a.

26 Sec. 653a. (1) Upon approaching and passing a stationary
 27 ~~authorized emergency vehicle~~ that is giving a visual signal by
 28 means of flashing, rotating, or oscillating red, blue, white, ~~or~~
 29 amber, **or green** lights as permitted by section 698, **or by means of**

1 **front and rear warning lamps as permitted by section 698a**, the
2 driver of an approaching vehicle shall exhibit due care and
3 caution, as required under the following:

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

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

24 (2) Except as provided in ~~this subsection and subsections (3)~~
25 ~~and (4), a person who violates this section is guilty of a~~
26 ~~misdemeanor punishable by a fine of not more than \$500.00 or~~
27 ~~imprisonment for not more than 90 days, or both. Beginning 60 days~~
28 ~~after the effective date of the amendatory act that amended this~~
29 ~~subsection, except as provided in subsections (3) and (4), a person~~

1 **an individual** who violates this section is responsible for a civil
2 infraction and ~~shall~~**must** be ordered to pay a civil fine ~~of~~
3 ~~\$400.00~~**as follows:**

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

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

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

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

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

1 (6) This section does not prohibit an individual from being
2 charged with, convicted of, or punished for any other violation of
3 law.

4 Enacting section 1. Section 653b of the Michigan vehicle code,
5 1949 PA 300, MCL 257.653b, is repealed.

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

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