

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.666a Operation of motor vehicles on automated vehicle roadways; compliance with MCL 257.642(3); violation as civil infraction; limited use of data.

Sec. 666a. (1) An operator of a motor vehicle or automated motor vehicle shall not operate a motor vehicle or automated motor vehicle on an automated vehicle roadway or automated vehicle roadway lane without complying with section 642(3). A person that violates this subsection is responsible for a civil infraction and may be fined as provided in section 907.

(2) A sworn statement of an authorized agent of the state transportation department or a police officer from the department of state police, based upon the inspection of data produced by the automated vehicle roadway system, is prima facie evidence of the facts attested to in the sworn statement. Any data indicating a violation of subsection (1) must be available for inspection in any proceeding for a violation of subsection (1). Data of noncompliance with subsection (1) that contain personal identification information must be destroyed within 90 days after final disposition of the matter. Any data that does not indicate a violation of subsection (1) that contain personal identification information must be destroyed within 10 days of collection.

(3) Evidence obtained pursuant to subsection (2) that the operator of a motor vehicle or automated motor vehicle violated subsection (1), together with proof that the individual was at the time of the violation the registered owner of the motor vehicle or automated motor vehicle, creates a rebuttable presumption that the registered owner of the motor vehicle or automated motor vehicle is the person that did not comply with subsection (1). For purposes of this subsection, the owner of a leased or rental motor vehicle or automated motor vehicle shall provide the name and address of the person to whom the vehicle was leased or rented at the time of the noncompliance. The presumption under this subsection is rebutted if either of the following applies:

(a) The registered owner of the motor vehicle or automated motor vehicle files an affidavit with the clerk of the court that states that he or she was not the operator of the motor vehicle or automated motor vehicle at the time of the violation and provides reasonable proof to accompany the affidavit.

(b) A certified copy of a police report showing that the motor vehicle or automated motor vehicle had been reported to the police as stolen before the time of the violation is presented before the appearance date on the citation.

(4) Notwithstanding section 742, a citation for a violation of subsection (1) may be executed by mailing a copy of the citation by first-class mail to the address of the owner of the motor vehicle or automated motor vehicle as shown on the records of the secretary of state. If the summoned individual fails to appear on the date of return set out in the citation previously mailed by first-class mail pursuant to this subsection, a copy of the citation must be sent by certified mail, with return receipt requested. If the summoned individual fails to appear on either of the dates of return set out in the copies of the citation mailed pursuant to this subsection, the citation must be executed in the manner provided by law for personal service.

(5) The automated vehicle roadway system shall not produce data for any purpose other than the operation of the automated vehicle roadway system or noncompliance with subsection (1).

History: Add. 2022, Act 179, Imd. Eff. July 25, 2022.