

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.792 Removal of bicycle, vehicle, cargo, or other personal property blocking, delaying, or interfering with movement of streetcar; liability; "gross negligence" defined; reimbursement by owner or carrier; definitions.

Sec. 792. (1) If a street authority determines that a bicycle, vehicle, cargo, or other personal property is parked or standing on a street in a manner that would block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track, the street authority may immediately remove or cause to be removed the bicycle, vehicle, cargo, or personal property from the street to the nearest garage, storage facility, or other place of safety. If the street authority is a street railway, the street railway shall not remove a bicycle, vehicle, cargo, or personal property under this subsection without first obtaining authorization from a police officer or notifying a law enforcement agency. The street authority shall report the place to which a bicycle, vehicle, cargo, or personal property is removed under this subsection to the nearest law enforcement agency as soon as practicable.

(2) A street authority that removes or causes the removal of property under subsection (1), and any of the street authority's officers, employees, or agents, or anyone acting in good faith under subsection (1), and within the scope of, the authority conferred under subsection (1), is not liable for any damages or claims that may arise from the exercise or the failure to exercise any authority granted under subsection (1), except for an act or omission amounting to gross negligence. As used in this subsection, "gross negligence" means that term as defined in section 606a.

(3) The owner or carrier, if any, of a bicycle, vehicle, cargo, or personal property removed pursuant to subsection (1) shall reimburse the street authority for all documented reasonable costs incurred in the removal, storage, and return.

(4) As used in this section:

(a) "Law enforcement agency" means any of the following:

(i) The department of state police.

(ii) The county sheriff's office.

(iii) The police department of a local unit of government.

(iv) The transit police unit of a public body corporate created pursuant to an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, between a city and an authority under the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426.

(b) "Local unit of government" means a state university or college or a county, city, village, or township.

(c) "Street authority" means a law enforcement agency or a street railway.

History: Add. 2021, Act 43, Imd. Eff. July 1, 2021.