

THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

CHAPTER LXXIV

RADIO BROADCASTING

750.507 State radio broadcasting station; priority of messages.

Sec. 507. Every telegraph and telephone company operating in this state shall give priority to emergency messages or operator-handled telephone calls directed to any public safety agency and the person responsible for failure so to do shall be guilty of a misdemeanor. For the purposes of this section, public safety agency means any fire department, ambulance company, law enforcement agency, civil defense communications facility and the department of military affairs.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.507;—Am. 1968, Act 195, Eff. Nov. 15, 1968.

Former law: See section 4 of Act 152 of 1929, being CL 1929, § 577.

750.507b Telegraph and telephone companies; interference, obstruction.

Sec. 507b. Any unauthorized person who shall wilfully prevent, interfere, obstruct, or impede a public safety radio communication shall be guilty of a misdemeanor.

History: Add. 1968, Act 195, Eff. Nov. 15, 1968.

750.508 Equipping vehicle with radio able to receive signals on frequencies assigned for police or certain other purposes; violation; penalties; radar detectors not applicable.

Sec. 508. (1) A person who has been convicted of 1 or more felonies during the preceding 5 years shall not carry or have in his or her possession a radio receiving set that will receive signals sent on a frequency assigned by the federal communications commission of the United States for police or other law enforcement, fire fighting, emergency medical, federal, state, or local corrections, or homeland security purposes. This subsection does not apply to a person who is licensed as an amateur radio operator by the federal communications commission. A person who violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(2) A person shall not carry or have in his or her possession in the commission or attempted commission of a crime a radio receiving set that will receive signals sent on a frequency assigned by the federal communications commission of the United States for police or other law enforcement, fire fighting, emergency medical, federal, state, or local corrections, or homeland security purposes. A person who violates this subsection is guilty of a crime as follows:

(a) If this subsection is violated in the commission or attempted commission of a misdemeanor punishable by a maximum term of imprisonment of at least 93 days but less than 1 year, the person is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(b) If this subsection is violated in the commission or attempted commission of a misdemeanor or felony punishable by a maximum term of imprisonment of 1 year or more, the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$2,000.00, or both.

(3) Subsection (2) does not apply to a person who carries or has in his or her possession a radio receiving set described in subsection (2) in the commission or attempted commission of a misdemeanor punishable by a maximum term of imprisonment of less than 93 days.

(4) This section does not apply to the use of radar detectors.

History: 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1939, Act 295, Eff. Sept. 29, 1939;—CL 1948, 750.508;—Am. 1957, Act 242, Eff. Sept. 27, 1957;—Am. 1990, Act 77, Imd. Eff. May 24, 1990;—Am. 2002, Act 672, Eff. Mar. 31, 2003;—Am. 2006, Act 39, Eff. May 31, 2006.

Constitutionality: This section, which prohibits equipping or using a vehicle with a radio receiving set capable of receiving frequencies assigned for police purposes, was enacted to facilitate law enforcement activity. This section's restriction of persons permitted to monitor those frequencies involves classifications which are rationally related to the statute's objective, consistent with equal protection and due process guarantees. People v Gilbert, 414 Mich 191; 324 NW2d 834 (1982).

Former law: See section 5 of Act 152 of 1929, being CL 1929, § 578.

750.508a Repealed. 1991, Act 55, Imd. Eff. June 27, 1991.

Compiler's note: The repealed section pertained to equipping a motor vehicle with a television viewable by the driver.

750.509 False reports to police broadcasting station.

Sec. 509. Any person who shall willfully make to any radio broadcasting station operated by any law

enforcement agency any false, misleading, or unfounded report, for the purpose of interfering with the operation thereof, or with the intention of misleading any peace officer or officers of this state, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00.

History: 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1941, Act 24, Eff. Jan. 10, 1942;—CL 1948, 750.509;—Am. 2002, Act 672, Eff. Mar. 31, 2003.

Former law: See section 6 of Act 152 of 1929, being CL 1929, § 579.

750.510 Broadcasting regulations; violation.

Sec. 510. Violation of regulations controlling broadcasting—Any person or corporation who shall knowingly cause or do any act in violation of any rule or order of the Michigan public utilities commission made pursuant to Act No. 131 of the Public Acts of 1927, being sections 11726 to 11731 inclusive of the Compiled Laws of 1929, and amendments thereto, shall be guilty of a misdemeanor.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.510.

Compiler's note: Act 131 of 1927, referred to in this section, was repealed by Act 55 of 1988, Imd. Eff. Mar. 14, 1988.

Former law: See section 6 of Act 131 of 1927, being CL 1929, § 11731.