

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

***** 257.682.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2024 REGULAR SESSION SINE DIE *****

257.682.amended Stopping for school bus displaying flashing red lights; violation as civil infraction and civil fine; meeting stopped school bus on divided highway; proof; rebuttable presumption; use of stop-arm camera system; camera-based violations; definitions.

Sec. 682. (1) The operator of a vehicle overtaking or meeting a school bus that has stopped and is displaying 2 alternately flashing red lights located at the same level shall bring the vehicle to a full stop not less than 20 feet from the school bus and shall not proceed until the school bus resumes motion or the visual signals are no longer actuated. The operator of a vehicle that fails to stop for a school bus as required by this subsection, that passes a school bus in violation of this subsection, or that fails to stop for a school bus in violation of an ordinance that is substantially similar to this subsection, is responsible for a civil infraction and must be ordered to pay a civil fine of not less than \$100.00 and not more than \$500.00. A citation issued under this subsection is not a citation for a camera-based violation under subsection (4), and a civil fine for a violation of this subsection must be applied as provided in section 909(1).

(2) Except where a crosswalk or pedestrian walkway is present, the operator of a vehicle on a highway that has been divided into 2 roadways by leaving a raised intervening space, or by a physical barrier, or clearly indicated dividing sections so constructed as to impede vehicular traffic, is not required to stop upon meeting a school bus that has stopped across the raised intervening space, physical barrier, or dividing section.

(3) In a proceeding for a violation of subsection (1), proof that the particular vehicle described in the citation was in violation of subsection (1), together with proof that the defendant named in the citation was, at the time of the violation, the registered owner of the vehicle, constitutes a rebuttable presumption that the registered owner of the vehicle was the driver of the vehicle at the time of the violation.

(4) Notwithstanding any provision of law to the contrary, if the operator of a vehicle fails to stop for a school bus as required under subsection (1), or passes a school bus in violation of subsection (1), or fails to stop for a school bus in violation of an ordinance that is substantially similar to subsection (1), and the school bus is equipped with a stop-arm camera system under section 20 of the pupil transportation act, 1990 PA 187, MCL 257.1820, the photograph captured or video recorded by the stop-arm camera system may be used as evidence in a proceeding for a camera-based violation. A school district that uses a stop-arm camera system shall provide a photograph captured or video recorded by a stop-arm camera system for use as evidence in a proceeding for a camera-based violation if requested by an investigating law enforcement agency. A photograph or video recorded by a stop-arm camera system is admissible as evidence in a proceeding for a camera-based violation to the extent permitted by the rules of evidence of this state. However, a photograph captured or video recorded by a stop-arm camera system, is not required for the prosecution of a violation of subsection (1).

(5) For a camera-based violation, the operator of a vehicle is responsible for a civil infraction and must be ordered to pay a civil fine of not less than \$100.00 and not more than \$500.00.

(6) For a camera-based violation, by not later than 30 days after receiving stop-arm camera system information as described in section 20 of the pupil transportation act, 1990 PA 187, MCL 257.1820, a law enforcement agency may review that information to determine if there is sufficient evidence that a violation of subsection (1) occurred and, if there is sufficient evidence that a violation occurred, may issue a citation.

(7) For a camera-based violation, if a law enforcement agency determines that it has sufficient evidence that a violation of subsection (1) has occurred, the law enforcement agency may initiate an action by mailing via first-class mail a citation to the operator of the vehicle involved in the violation. The mailing must include all of the following information:

(a) A copy of the captured photograph or selected images from a recorded video showing the vehicle involved in the violation.

(b) If the violation is based on a recorded video, a method to review the recorded video on a website.

(c) The date, time, and location of the alleged violation.

(d) A statement of the facts inferred from the captured photograph or recorded video.

(8) Notwithstanding any provision of law to the contrary, a civil fine for a camera-based violation must be paid to the county treasurer or the county treasurer's designee, who shall distribute the paid civil fines not less than monthly to the school district that operates the school bus. A school district that receives money under this subsection must use that money for school transportation safety-related purposes.

(9) As used in this section:

(a) "Camera-based violation" means a violation of subsection (1) based solely on a photograph captured or a video recorded by a stop-arm camera system.

(b) "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) Any other governmental law enforcement agency in this state.

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

(d) "School district" means that term as defined in section 6 of the revised school code, 1976 PA 451, MCL 380.6, and a public school academy as that term is defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

(e) "Stop-arm camera system" means that term as defined in section 5 of the pupil transportation act, 1990 PA 187, MCL 257.1805.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1956, Act 48, Eff. Aug. 11, 1956;—Am. 1957, Act 284, Eff. Sept. 27, 1957;—Am. 1958, Act 160, Eff. Sept. 13, 1958;—Am. 1962, Act 92, Eff. Mar. 28, 1963;—Am. 1963, Act 149, Eff. Sept. 6, 1963;—Am. 1969, Act 240, Eff. Mar. 20, 1970;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 66, Eff. Aug. 1, 1979;—Am. 1982, Act 65, Imd. Eff. Apr. 8, 1982;—Am. 1990, Act 188, Eff. Aug. 15, 1990;—Am. 2012, Act 263, Imd. Eff. July 3, 2012;—Am. 2021, Act 50, Eff. Oct. 11, 2021;—Am. 2024, Act 161, Eff. (sine die).