

SUBSTITUTE FOR
HOUSE BILL NO. 5173

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 601b (MCL 257.601b), as amended by 2001 PA
103.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 601b. (1) Notwithstanding any other provision of this
2 act, a person responsible for a moving violation in a
3 ~~construction~~ **work** zone, at an emergency scene, or in a school
4 zone during the period beginning 30 minutes before school in the
5 morning and through 30 minutes after school in the afternoon is
6 subject to a fine that is double the fine otherwise prescribed
7 for that moving violation.

8 (2) A person who commits a moving violation ~~that has~~
9 ~~criminal penalties~~ **for which not fewer than 3 points are**
10 **assigned under section 320a** and as a result causes injury to a

1 person working in the ~~construction~~ **work** zone is guilty of a
2 misdemeanor punishable by a fine of not more than \$1,000.00 or
3 imprisonment for not more than 1 year, or both.

4 (3) A person who commits a moving violation ~~that has~~
5 ~~criminal penalties~~ **for which not fewer than 3 points are**
6 **assigned under section 320a** and as a result causes death to a
7 person working in the ~~construction~~ **work** zone is guilty of a
8 felony punishable by a fine of not more than \$7,500.00 or by
9 imprisonment for not more than 15 years, or both.

10 (4) Whenever practical, signs designed in compliance with the
11 uniform manual of traffic control devices shall be appropriately
12 placed at the ~~construction~~ **work** zone by the state
13 transportation department or road authority having jurisdiction
14 over the ~~construction~~ **work** zone notifying operators of vehicles
15 of the increased fines and penalties provided by this section for
16 the protection and safety of construction workers.

17 (5) Subsections (2) and (3) do not apply if the injury or
18 death was caused by the negligence of the person working in the
19 ~~construction~~ **work** zone.

20 (6) As used in this section:

21 ~~(a) "Construction zone" means a designated work area~~
22 ~~described in section 627.~~

23 **(a)** ~~(b)~~ "Emergency scene" means a traffic accident, a
24 serious incident caused by weather conditions, or another
25 occurrence along a highway or street for which a police officer,
26 firefighter, or emergency medical personnel are summoned to aid
27 an injured victim.

1 **(b)** ~~-(e)-~~ "Moving violation" means an act or omission
2 prohibited under this act or a local ordinance substantially
3 corresponding to this act that occurs while a person is operating
4 a motor vehicle, and for which the person is subject to a fine.

5 **(c)** ~~-(d)-~~ "School zone" means that term as defined in section
6 627a.

7 **(d) "Work zone" means a designated work area described in**
8 **section 79d.**

9 Enacting section 1. This amendatory act does not take
10 effect unless House Bill No. 5089 of the 92nd Legislature is
11 enacted into law.