

# HOUSE BILL No. 4807

May 18, 2005, Introduced by Reps. Stakoe, Anderson and Amos and referred to the Committee on Judiciary.

A bill to amend 1956 PA 62, entitled

"An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,"

by amending section 1 (MCL 257.951), as amended by 1998 PA 69.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. (1) A city, township, or village may adopt by  
2 reference a code or ordinance for the regulation of traffic within  
3 cities, townships, and villages that has been promulgated by the  
4 director of the department of state police. The director of the  
5 department of state police may promulgate a uniform traffic code  
6 ~~pursuant to~~ **IN COMPLIANCE WITH** the administrative procedures act

1 of 1969, 1969 PA 306, MCL 24.201 to 24.328.

2 (2) A city, township, or village, with the consent of, or at  
3 the request of, a person who is in charge of a private road **THAT IS**  
4 **NOT OPEN TO THE GENERAL PUBLIC** or **A** parking lot, whether or not  
5 that ~~road or~~ parking lot is open to the general public, may  
6 contract with that person for the city, township, or village to  
7 enforce provisions of the uniform traffic code or ordinance adopted  
8 under this section on that private road or parking lot. **A CITY,**  
9 **TOWNSHIP, OR VILLAGE MAY ENTER UPON A PRIVATE ROAD THAT IS**  
10 **ACCESSIBLE TO THE GENERAL PUBLIC TO ENFORCE PROVISIONS OF THE**  
11 **UNIFORM TRAFFIC CODE OR AN ORDINANCE ADOPTED UNDER THIS SECTION IF**  
12 **SIGNS MEETING THE REQUIREMENTS OF THE UNIFORM MANUAL OF TRAFFIC**  
13 **CONTROL DEVICES ARE POSTED ON THE PRIVATE ROAD BY THE PERSON WHO IS**  
14 **IN CHARGE OF THE PRIVATE ROAD.** As used in this subsection, "person"  
15 means an individual, corporation, association, partnership, or  
16 other legal entity.

17 (3) A uniform traffic code promulgated by the director of the  
18 department of state police under this section shall specify whether  
19 a person who violates a particular provision of the code is guilty  
20 of a misdemeanor or is responsible for a civil infraction. The  
21 director may establish civil sanctions for civil infractions,  
22 except that a civil sanction in excess of that prescribed in the  
23 vehicle code is in conflict with that act and is void to the extent  
24 of the conflict. The uniform traffic code shall not impose a  
25 criminal penalty for an act or omission that is a civil infraction  
26 under the vehicle code.

27 (4) Violation of a provision designated a civil infraction in

1 the uniform traffic code shall be processed in the same manner as a  
2 civil infraction under the vehicle code.

3 (5) Notwithstanding the requirements of the uniform traffic  
4 code, a sign designating a parking space for persons with  
5 disabilities shall be 12 inches by 18 inches or larger ~~—~~ and  
6 shall be either blue or white and at a minimum contain the  
7 international handicapped symbol in contrasting colors of either  
8 blue or white in the center of the sign.

9 (6) The provisions of the uniform traffic code promulgated  
10 pursuant to this act that relate to driving while under the  
11 influence of an alcoholic beverage or driving with impaired ability  
12 shall be identical to the provisions of sections 625 to 625m of the  
13 Michigan vehicle code, 1949 PA 300, MCL 257.625 to 257.625m.

14 (7) For purposes of this section, "vehicle code" means the  
15 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

16 Enacting section 1. This amendatory act does not take effect  
17 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4806(request no.  
18 00167'05 \*) of the 93rd Legislature is enacted into law.