

**SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4928**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 682, 741, 742, and 909 (MCL 257.682, 257.741,  
257.742, and 257.909), section 682 as amended by 2021 PA 50,  
section 741 as amended by 2006 PA 298, section 742 as amended by  
2008 PA 171, and section 909 as amended by 2000 PA 94.

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

1           Sec. 682. (1) The operator of a vehicle overtaking or meeting  
2 a school bus that has stopped and is displaying 2 alternately  
3 flashing red lights located at the same level shall bring the  
4 vehicle to a full stop not less than 20 feet from the school bus  
5 and shall not proceed until the school bus resumes motion or the  
6 visual signals are no longer actuated. The operator of a vehicle



1 ~~who~~**that** fails to stop for a school bus as required by this  
 2 subsection, ~~who~~**that** passes a school bus in violation of this  
 3 subsection, or ~~who~~**that** fails to stop for a school bus in violation  
 4 of an ordinance that is substantially similar to this subsection,  
 5 is responsible for a civil infraction **and must be ordered to pay a**  
 6 **civil fine of not less than \$100.00 and not more than \$500.00.**

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

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

21 (4) ~~A~~**Notwithstanding any provision of law to the contrary, if**  
 22 **the operator of a vehicle fails to stop for a school bus** ~~may be~~  
 23 ~~equipped with a stop-arm camera system in accordance with~~ **as**  
 24 **required under subsection (1), or passes a school bus in violation**  
 25 **of subsection (1), or fails to stop for a school bus in violation**  
 26 **of an ordinance that is substantially similar to subsection (1),**  
 27 **and the school bus is equipped with a stop-arm camera system under**  
 28 **section 20 of the pupil transportation act, 1990 PA 187, MCL**  
 29 **257.1820, the photograph captured or video recorded by the stop-arm**



1 camera system may be used as evidence in a proceeding for a camera-  
 2 based violation. A school district that uses a stop-arm camera  
 3 system shall provide a ~~video~~ **photograph captured** or ~~photograph~~  
 4 **video** recorded by a stop-arm camera system for use as evidence in a  
 5 proceeding for a **camera-based** violation ~~of subsection (1)~~ if  
 6 requested by an investigating law enforcement agency. A photograph  
 7 or video recorded by a stop-arm camera system is admissible as  
 8 evidence in a proceeding for a **camera-based** violation ~~of subsection~~  
 9 ~~(1)~~ to the extent permitted by the rules of evidence of this state.  
 10 However, a photograph **captured** or video recorded by a stop-arm  
 11 camera system, is not required for the prosecution of a violation  
 12 of subsection (1).

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

16 (6) For a camera-based violation, by not later than 30 days  
 17 after receiving stop-arm camera system information as described in  
 18 section 20 of the pupil transportation act, 1990 PA 187, MCL  
 19 257.1820, a law enforcement agency may review that information to  
 20 determine if there is sufficient evidence that a violation of  
 21 subsection (1) occurred and, if there is sufficient evidence that a  
 22 violation occurred, may issue a citation.

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

29 (a) A copy of the captured photograph or selected images from



1 a recorded video showing the vehicle involved in the violation.

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

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

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

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

14 (9) ~~(5)~~As used in this section:

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

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

19 (i) The department of state police.

20 (ii) The county sheriff's office.

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

22 (iv) Any other governmental law enforcement agency in this  
23 state.

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

26 (d) ~~(e)~~"~~School~~"**School district**" means that term as defined  
27 by ~~in section 5 of the pupil transportation act, 1990 PA 187, MCL~~  
28 ~~257.1805.6~~ **of the revised school code, 1976 PA 451, MCL 380.6, and**  
29 **a public school academy as that term is defined in section 5 of the**



1 **revised school code, 1976 PA 451, MCL 380.5.**

2 (e) ~~(d)~~ "Stop-arm camera system" means that term as defined by  
 3 in section ~~20-5~~ of the pupil transportation act, 1990 PA 187, MCL  
 4 ~~257.1820~~.**257.1805.**

5 Sec. 741. (1) A civil infraction action is a civil action in  
 6 which the defendant is alleged to be responsible for a civil  
 7 infraction. A civil infraction action is commenced upon the  
 8 issuance and service of a citation as provided in section 742. The  
 9 plaintiff in a civil infraction action ~~shall~~**must** be either ~~the~~  
 10 **this** state if the alleged civil infraction is a violation of this  
 11 act, or a political subdivision if the alleged civil infraction is  
 12 a violation of a local ordinance of that subdivision ~~which~~**that**  
 13 substantially corresponds to a provision of this act.

14 (2) The following courts ~~shall~~ have jurisdiction over civil  
 15 infraction actions:

16 (a) The district court.

17 (b) Any municipal court.

18 (3) The time specified in a citation for appearance ~~shall~~**must**  
 19 be within a reasonable time after the citation is issued pursuant  
 20 to section **682 or** 742.

21 (4) The place specified in the citation for appearance ~~shall~~  
 22 **must** be the court listed in subsection (2) ~~which~~**that** has  
 23 territorial jurisdiction of the place where the civil infraction  
 24 occurred. Venue in the district court ~~shall be~~**is** governed by  
 25 section 8312 of the revised judicature act of 1961, 1961 PA 236,  
 26 MCL 600.8312.

27 (5) If the ~~person~~**individual** cited is a minor, that individual  
 28 ~~shall be permitted to~~**may** appear in court or ~~to~~ admit  
 29 responsibility for a civil infraction without the necessity of



1 appointment of a guardian or next friend. The courts listed in  
 2 subsection (2) ~~shall~~ have jurisdiction over the minor and may  
 3 proceed in the same manner and in all respects as if that  
 4 individual were an adult.

5       Sec. 742. (1) ~~A~~ **If a police officer who witnesses a person an**  
 6 **individual** violating this act or a local ordinance substantially  
 7 corresponding to this act, ~~which and that~~ violation is a civil  
 8 infraction, **that police officer** may stop the ~~person, individual,~~  
 9 detain the ~~person individual~~ temporarily for purposes of making a  
 10 record of vehicle check, and prepare and subscribe, as soon as  
 11 possible and as completely as possible, an original and 3 copies of  
 12 a written citation, which ~~shall~~ **must** be a notice to appear in court  
 13 for 1 or more civil infractions. If a police officer of a village,  
 14 city, township, or county, or a police officer who is an authorized  
 15 agent of a county road commission, witnesses ~~a person an individual~~  
 16 violating this act or a local ordinance substantially corresponding  
 17 to this act within that village, city, township, or county and that  
 18 violation is a civil infraction, that police officer may pursue,  
 19 stop, and detain the ~~person individual~~ outside the village, city,  
 20 township, or county where the violation occurred for the purpose of  
 21 exercising the authority and performing the duties prescribed in  
 22 this section and section 749, as applicable.

23       (2) ~~Any~~ **If a police officer, having has** reason to believe  
 24 that the load, weight, height, length, or width of a vehicle or  
 25 load are in violation of section 717, 719, 719a, 722, 724, 725, or  
 26 726 ~~which and that~~ violation is a civil infraction, **that police**  
 27 **officer** may require the driver of the vehicle to stop, and the  
 28 **police** officer may investigate, weigh, or measure the vehicle or  
 29 load. If, after personally investigating, weighing, or measuring



1 the vehicle or load, the **police** officer determines that the load,  
2 weight, height, length, or width of the vehicle or load are in  
3 violation of section 717, 719, 719a, 722, 724, 725, or 726, the  
4 **police** officer may temporarily detain the driver of the vehicle for  
5 purposes of making a record or vehicle check and issue a citation  
6 to the driver or owner of the vehicle as provided in those  
7 sections.

8 (3) A police officer may issue a citation to ~~a person~~**an**  
9 **individual** who is a driver of a motor vehicle involved in an  
10 accident when, based upon personal investigation, the officer has  
11 reasonable cause to believe that the ~~person~~**individual** is  
12 responsible for a civil infraction in connection with the accident.  
13 A police officer may issue a citation to ~~a person~~**an individual** who  
14 is a driver of a motor vehicle when, based upon personal  
15 investigation by the police officer of a complaint by someone who  
16 witnessed the ~~person~~**individual** violating this act or a local  
17 ordinance substantially corresponding to this act, ~~which and that~~  
18 violation is a civil infraction, the officer has reasonable cause  
19 to believe that the ~~person~~**individual** is responsible for a civil  
20 infraction and if the prosecuting attorney or attorney for the  
21 political subdivision approves in writing the issuance of the  
22 citation.

23 (4) The form of a citation issued under subsection (1), (2),  
24 ~~or~~ (3), **or (9)** shall be as prescribed in sections 727c and 743.

25 (5) The officer shall inform the ~~person~~**individual** of the  
26 alleged civil infraction or infractions and shall deliver the third  
27 copy of the citation to the alleged offender.

28 (6) In a civil infraction action involving the parking or  
29 standing of a motor vehicle, a copy of the citation is not required



1 to be served personally upon the defendant but may be served upon  
 2 the registered owner by attaching the copy to the vehicle. A city  
 3 may authorize personnel other than a police officer to issue and  
 4 serve a citation for a violation of its ordinance involving the  
 5 parking or standing of a motor vehicle. A city may authorize a  
 6 person other than personnel or a police officer to issue and serve  
 7 a citation for parking violations described in section 675d if the  
 8 city has complied with the requirements of section 675d. State  
 9 security personnel receiving authorization under section 6c of 1935  
 10 PA 59, MCL 28.6c, may issue and serve citations for violations  
 11 involving the parking or standing of vehicles on land owned by ~~the~~  
 12 **this** state or land of which ~~the~~**this** state is the lessee when  
 13 authorized to do so by the director of the department of state  
 14 police.

15 (7) If a parking violation notice other than a citation is  
 16 attached to a motor vehicle, and if an admission of responsibility  
 17 is not made and the civil fine and costs, if any, prescribed by  
 18 ordinance for the violation are not paid at the parking violations  
 19 bureau, a citation may be filed with the court described in section  
 20 741(4) and a copy of the citation may be served by first-class mail  
 21 upon the registered owner of the vehicle at the owner's last known  
 22 address. A parking violation notice may be issued by a police  
 23 officer, including a limited duty officer, or other personnel duly  
 24 authorized by the city, village, township, college, or university  
 25 to issue ~~such a~~**that parking violation** notice under its ordinance.  
 26 The citation filed with the court pursuant to this subsection need  
 27 not comply in all particulars with sections 727c and 743 but ~~shall~~  
 28 **must** consist of a sworn complaint containing the allegations stated  
 29 in the parking violation notice and ~~shall~~**must** fairly inform the





1 defendant how to respond to the citation.

2 (8) A citation issued under subsection (6) or (7) for a  
3 parking or standing violation ~~shall~~**must** be processed in the same  
4 manner as a citation issued personally to a defendant under  
5 subsection (1) or (3).

6 **(9) A citation may be issued by mail to the registered owner**  
7 **of a vehicle as provided in section 682 for a camera-based**  
8 **violation as defined in section 682.**

9 **(10)** ~~(9)~~ As used in subsection (7):

10 (a) "Parking violation notice" means a notice, other than a  
11 citation, directing a person to appear at a parking violations  
12 bureau in the city, village, or township in which, or of the  
13 college or university for which, the notice is issued and to pay  
14 the fine and costs, if any, prescribed by ordinance for the parking  
15 or standing of a motor vehicle in violation of the ordinance.

16 (b) "Parking violations bureau" means a parking violations  
17 bureau established pursuant to section 8395 of the revised  
18 judicature act of 1961, 1961 PA 236, MCL 600.8395, or a comparable  
19 parking violations bureau established in a city or village served  
20 by a municipal court or established pursuant to law by the  
21 governing board of a state university or college.

22 Sec. 909. (1) Except as provided in ~~subsection~~**subsections** (2)  
23 **and (3)**, a civil fine ~~which~~**that** is ordered under section 907 for a  
24 violation of this act or other state statute ~~shall~~**must** be  
25 exclusively applied to the support of public libraries and county  
26 law libraries in the same manner as is provided by law for penal  
27 fines assessed and collected for violation of a penal law of ~~the~~  
28 ~~state.~~ **A this state. Except as provided in subsection (4), a** civil  
29 fine ordered for a violation of a code or ordinance of a local



1 authority regulating the operation of commercial motor vehicles and  
2 substantially corresponding to a provision of this act ~~shall~~**must**  
3 be paid to the county treasurer and ~~shall~~**must** be allocated as  
4 follows:

5 (a) Seventy percent to the local authority in which the  
6 citation is issued.

7 (b) Thirty percent for library purposes as provided by law.

8 (2) Subsection (1) is intended to maintain a source of revenue  
9 for public libraries ~~which~~**that** previously received penal fines for  
10 misdemeanor violations of this act ~~which~~**that** are now civil  
11 infractions.

12 (3) A civil fine ordered for a violation of section 682 that  
13 is a camera-based violation as defined in section 682 must be paid  
14 to the county treasurer or the county treasurer's designee and be  
15 distributed by the county treasurer or the county treasurer's  
16 designee to the school district that operates the school bus and be  
17 used for school transportation safety-related purposes as provided  
18 in section 682.

19 (4) A civil fine ordered for a violation of a code or  
20 ordinance of a local authority that substantially corresponds to  
21 section 682 that is a camera-based violation as defined in section  
22 682 must be paid to the county treasurer or the county treasurer's  
23 designee and be distributed by the county treasurer or the county  
24 treasurer's designee to the school district that operates the  
25 school bus and be used for school transportation safety-related  
26 purposes as provided in section 682.

27 (5) A county treasurer may enter into a contract with and  
28 designate a private vendor to process a civil fine described in  
29 subsection (3) or (4). A private vendor described in this



1 subsection may be a private vendor contracted by a school district  
2 to install, operate, and provide support to a stop-arm camera  
3 system on a school bus under section 20 of the pupil transportation  
4 act, 1990 PA 187, MCL 257.1820.

5 Enacting section 1. This amendatory act does not take effect  
6 unless all of the following bills of the 102nd Legislature are  
7 enacted into law:

8 (a) House Bill No. 4929.

9 (b) House Bill No. 4930.

