

Act No. 161  
Public Acts of 2024  
Approved by the Governor  
December 10, 2024  
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December 10, 2024  
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(91st day after final adjournment of the 2024 Regular Session)

**STATE OF MICHIGAN  
102ND LEGISLATURE  
REGULAR SESSION OF 2024**

Introduced by Reps. Shannon and Filler

# ENROLLED HOUSE BILL No. 4928

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” 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:*

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.

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

(2) The following courts have jurisdiction over civil infraction actions:

(a) The district court.

(b) Any municipal court.

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

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

(5) If the individual cited is a minor, that individual may appear in court or admit responsibility for a civil infraction without the necessity of appointment of a guardian or next friend. The courts listed in subsection (2) have jurisdiction over the minor and may proceed in the same manner and in all respects as if that individual were an adult.

Sec. 742. (1) If a police officer witnesses an individual violating this act or a local ordinance substantially corresponding to this act and that violation is a civil infraction, that police officer may stop the individual, detain the individual temporarily for purposes of making a record of vehicle check, and prepare and subscribe, as soon as possible and as completely as possible, an original and 3 copies of a written citation, which must be a notice to appear in court for 1 or more civil infractions. If a police officer of a village, city, township, or county, or a police officer who is an authorized agent of a county road commission, witnesses an individual violating this act or a local ordinance substantially corresponding to this act within that village, city, township, or county and that violation is a civil infraction, that police officer may pursue, stop, and detain the individual outside the village, city, township, or county where the violation occurred for the purpose of exercising the authority and performing the duties prescribed in this section and section 749, as applicable.

(2) If a police officer has reason to believe that the load, weight, height, length, or width of a vehicle or load are in violation of section 717, 719, 719a, 722, 724, 725, or 726 and that violation is a civil infraction, that police officer may require the driver of the vehicle to stop, and the police officer may investigate, weigh, or measure the vehicle or load. If, after personally investigating, weighing, or measuring the vehicle or load, the police officer determines that the load, weight, height, length, or width of the vehicle or load are in violation of section 717, 719, 719a, 722, 724, 725, or 726, the police officer may temporarily detain the driver of the vehicle for purposes of making a record or vehicle check and issue a citation to the driver or owner of the vehicle as provided in those sections.

(3) A police officer may issue a citation to an individual who is a driver of a motor vehicle involved in an accident when, based upon personal investigation, the officer has reasonable cause to believe that the individual is responsible for a civil infraction in connection with the accident. A police officer may issue a citation to an individual who is a driver of a motor vehicle when, based upon personal investigation by the police officer of a complaint by someone who witnessed the individual violating this act or a local ordinance substantially corresponding to this act and that violation is a civil infraction, the officer has reasonable cause to believe that the individual is responsible for a civil infraction and if the prosecuting attorney or attorney for the political subdivision approves in writing the issuance of the citation.

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

(5) The officer shall inform the individual of the alleged civil infraction or infractions and shall deliver the third copy of the citation to the alleged offender.

(6) In a civil infraction action involving the parking or standing of a motor vehicle, a copy of the citation is not required to be served personally upon the defendant but may be served upon the registered owner by attaching the copy to the vehicle. A city may authorize personnel other than a police officer to issue and serve a citation for a violation of its ordinance involving the parking or standing of a motor vehicle. A city may authorize a person other than personnel or a police officer to issue and serve a citation for parking violations described in section 675d if the city has complied with the requirements of section 675d. State security personnel receiving authorization under section 6c of 1935 PA 59, MCL 28.6c, may issue and serve citations for violations involving the parking or standing of vehicles on land owned by this state or land of which this state is the lessee when authorized to do so by the director of the department of state police.

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

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

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

(10) As used in subsection (7):

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

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

Sec. 909. (1) Except as provided in subsections (2) and (3), a civil fine that is ordered under section 907 for a violation of this act or other state statute must be exclusively applied to the support of public libraries and county law libraries in the same manner as is provided by law for penal fines assessed and collected for violation of a penal law of this state. Except as provided in subsection (4), a civil fine ordered for a violation of a code or ordinance of a local authority regulating the operation of commercial motor vehicles and substantially corresponding to a provision of this act must be paid to the county treasurer and must be allocated as follows:

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

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

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

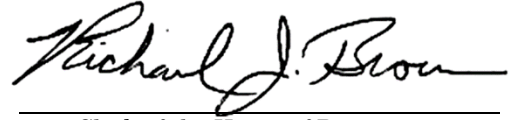
(3) A civil fine ordered for a violation of section 682 that is a camera-based violation as defined in section 682 must be paid to the county treasurer or the county treasurer's designee and be distributed by the county treasurer or the county treasurer's designee to the school district that operates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

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

(5) A county treasurer may enter into a contract with and designate a private vendor to process a civil fine described in subsection (3) or (4). A private vendor described in this subsection may be a private vendor contracted by a school district to install, operate, and provide support to a stop-arm camera system on a school bus under section 20 of the pupil transportation act, 1990 PA 187, MCL 257.1820.

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

- (a) House Bill No. 4929.
- (b) House Bill No. 4930.



Clerk of the House of Representatives



Secretary of the Senate

Approved \_\_\_\_\_

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Governor