

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.616a Portable signal preemptive device; prohibitions; penalties; exceptions; definitions.

Sec. 616a.

- (1) Except as provided in subsections (3) and (4), a person shall not do any of the following:
 - (a) Possess a portable signal preemption device.
 - (b) Use a portable signal preemption device.
 - (c) Sell a portable signal preemption device to a person other than a person described in subsection (3).
 - (d) Purchase a portable signal preemption device for use other than a duty as described in subsections (3) and (4).
- (2) A person who violates subsection (1) is guilty of a crime as follows:
 - (a) A person who violates subsection (1)(a) is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$5,000.00, or both.
 - (b) Except as provided in subdivisions (c), (d), and (e), a person who violates subsection (1)(b) is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$10,000.00, or both.
 - (c) A person who violates subsection (1)(b), which violation results in a traffic accident, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$15,000.00, or both.
 - (d) A person who violates subsection (1)(b), which violation results in the serious impairment of a body function, is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$20,000.00, or both.
 - (e) A person who violates subsection (1)(b), which violation results in the death of another, is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$25,000.00, or both.
 - (f) A person who violates subsection (1)(c) or (d) is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$10,000.00, or both.
- (3) This section does not apply to any of the following:
 - (a) A law enforcement agency in the course of providing law enforcement services.
 - (b) A fire station or a firefighter in the course of providing fire prevention or fire extinguishing services.
 - (c) An emergency medical service or ambulance in the course of providing emergency medical transportation or ambulance services.
 - (d) An operator, passenger, or owner of an authorized emergency vehicle in the course of his or her emergency duties.
- (4) Subsection (1)(a) does not apply to either of the following:
 - (a) A mail or package delivery service or employee or agent of a mail or package delivery service in the course of shipping or delivering a portable signal preemption device.
 - (b) An employee or agent of a portable signal preemption device manufacturer or retailer in the course of his or her employment in providing, selling, manufacturing, or transporting a portable signal preemption device to an individual or agency described in this subsection.
- (5) As used in this section:
 - (a) "Portable signal preemption device" means a device that, if activated by a person, is capable of changing a traffic control signal to green out of sequence.
 - (b) "Serious impairment of a body function" means that term as defined in section 58c.

History: Add. 2004, Act 25, Eff. June 14, 2004