

1998 PUBLIC AND LOCAL ACTS

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[No. 69]

(SB 373)

AN ACT 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 1993 PA 225.

*The People of the State of Michigan enact:*

257.951 Uniform traffic code; promulgation; adoption by reference; private road or parking lot; violation as misdemeanor or civil infraction; civil sanctions; processing of civil infraction; designating parking space for persons with disabilities; provisions relating to driving under influence or with impaired ability; "vehicle code" defined. [M.S.A. 9.2651]

Sec. 1. (1) A city, township, or village may adopt by reference a code or ordinance for the regulation of traffic within cities, townships, and villages that has been promulgated by the director of the department of state police. The director of the department of state police may promulgate a uniform traffic code pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(2) A city, township, or village, with the consent of, or at the request of, a person who is in charge of a private road or parking lot, whether or not that road or parking lot is open to the general public, may contract with that person for the city, township, or village to enforce provisions of the uniform traffic code or ordinance adopted under this section on that private road or parking lot. As used in this subsection, "person" means an individual, corporation, association, partnership, or other legal entity.

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

(4) Violation of a provision designated a civil infraction in the uniform traffic code shall be processed in the same manner as a civil infraction under the vehicle code.

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

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

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

This act is ordered to take immediate effect.

Approved May 4, 1998.

Filed with Secretary of State May 4, 1998.

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