

## Motorist-related Bills in the 101<sup>st</sup> Michigan Legislature — 2021–2022

As of April 18, 2022. Includes bills related to the Vehicle Code, auto insurance, road-use fees, vehicle taxes, auto travel, and motorists' rights.

“100<sup>th</sup> \_\_” signifies reintroduction of a bill from the last legislature. *Passed* means passed house of origin. *Enrolled* or *presented* means passed both houses. *P.A. Number\_\_* means signed into law.

For bill language and status, and for the current edition of Michigan laws, see the legislature's web site at [www.legislature.mi.gov](http://www.legislature.mi.gov)

### Senate

- 28 NO-FAULT CARE, SUPPLEMENTAL (Stamas) Appropriate \$25 million for brain and spinal injury facilities suffering deficits following insurance reform; award on first-come, first-served basis. P.A.65 of 2021.
- 32 AWARD ALL FUEL TAX to COUNTIES (MacDonald+1) Award all motor fuel tax (roughly \$1,300 million) to county-road preservation and maintenance (not widening) in counties where fuel is sold; cut funds to state highways, city streets, and transit by \$800 million/year (would require 14 cent/gallon fuel-tax increase to replace). 100<sup>th</sup> 28; similar to 100<sup>th</sup> HB 5284. Compare HBs 4545, 4546.
- 39, 43 COUNTY ROAD LIABILITY (Victory) Modernize 1909 county-road law to clarify that counties must keep roads in “reasonable repair” and are not liable for damage from road defects existing for less than 30 days.
- 45 OLD-STYLE PLATES (McMorrow) Create “legacy” license plates in the styles used in 1979-1983 malaise era (black) and 1983-2007 (blue); one-time service fee plus \$100 tax credited to road fund. Allow Secretary of State to limit the program and cancel the plates at any time. Same as 100<sup>th</sup> 1146.
- 128 DEALER HOURS (LaSata) Require car dealers to be open 30 hours/week at least 48 weeks a year. Require advance notice to state of change in posted hours. Compare HB 5325. P.A.90 of 2021.
- 139 H.O.V. LANES (McMorrow) Update Vehicle Code language creating the offense of violating an HOV lane (none in Michigan at present—coming on I-75); allow any road agency to open an HOV lane to other classes of vehicles (such as trucks, buses, or automated vehicles). Update lane-use language. 100<sup>th</sup> 6163, 1078. Same as HB 4179.
- 140 H.O.V. LANES (McMorrow) Clarify that MDOT may restrict highway lanes to high-occupancy or any other classes of vehicles (such as trucks, buses, automated vehicles or others). (Enable HOV lanes on I-75 in Oakland County, lanes to remain closed until the northernmost segments are complete, around August, 2023.) 100<sup>th</sup> 6164, 1079. Same as HB 4178.
- 177 O.W.I. EXPUNGEMENT (McBroom) Allow courts to “set aside” first conviction for operating while intoxicated after 5 years upon application (not automatic), except for causing injury or death or in commercial vehicles. Records persist in driving record and CDLIS—no federal-aid penalty. (Allow travel to Canada.) Affects about 200,000 persons –sponsor. 100<sup>th</sup> 6453 H-2; compare 100<sup>th</sup> 681, 1254 (vetoed). Compare HBs 4219, 4220; same as HB 4238. Hearing held.
- 220 FARM PLATES (Theis+12) Allows mail or on-line renewal of discount farm, milk, log hauler or “special farm” plates. (“Not implementable as written;” electronic insurance verification does not include commercial vehicles.) P.A.110 of 2021.
- 314 INSURANCE, REHABILITATION (Hertel+10) Revise maximum fees for rehabilitation services under no-fault.

- 351 SLOW DOWN for BROKE COMBINES (LaSata) Extend “move over” law requiring drivers to slow down to 10 mph below the speed limit and move over if possible when passing “disabled” farm implements. \$100 or 90 days misdemeanor. 100<sup>th</sup> 777.
- 374 SCHOOL-BUS CAMERAS (Nesbitt) Allow installation of school-bus stop-arm cameras. Allow school districts to deliver pictures to law-enforcement agencies. (Does not allow mailed tickets. No effective change from existing law; photographic evidence may be used by prosecutors.) Enacted in HB 4202. See SBs 376, 377. Compare HBs 5501,08,&09.
- 376, 377 SCHOOL-BUS FINES (Wojno) Amend Revised Judicature Act and Vehicle Code to raise fine for failure to stop for a school bus to \$500. (Contrary to recent bills lowering and standardizing fines.) Credit fines to school district instead of local units and libraries. Repeal optional sentence of community service. Explicitly allow use of photographs as evidence in investigations (already legal). (Does not allow mailed tickets.) See SB 374. Compare HBs 5501,08,&09.
- 394 FEDERAL VIRUS FUNDS (Schmidt) Shift \$261,308,800 in state funds from state highways to county roads and city streets in Fiscal 2021. Award \$261,308,800 in federal pandemic Surface Transportation aid to 8 urbanized areas and remainder to state highways.
- 400 O.W.I. EXPUNGEMENT DELAY (McBroom) Require drivers to wait 5 years after completion of prison or probation before a first OWI conviction may be expunged. Tie-barred to HBs 4219 and 4220 (enacted). Compare HB 4238, SB 177. P.A.82 of 2021.
- 409 HAND-HELD CELL PHONES (Johnson+6) Make it illegal to “hold or use a portable electronic device” while driving; prohibit while stopped in traffic, but not when pulled over in a safe spot. Allow manual activation of a device with a single touch if it is mounted to the car. Exempt hands-free phones. Generally prohibit viewing or entering electronic data while driving, plus many specific actions. Exempt navigation devices (??–Sec 602b(10)(a)(xi) *reference is wrong?*). Prohibit holding a portable device for browsing, viewing, or entering data “for the purpose of present or future communications.” Exclude CB and 2-way radio. Does not authorize seizure or forfeiture of devices. Allow primary-enforcement stops. Increase fines. Repeal exemption for hands-free phone use by holders of graduated licenses. Assign points for 2<sup>nd</sup> and 3<sup>rd</sup> convictions. Compare HB 4277.
- 425-427 GRADE-SEPARATION GRANTS (Zorn) Award grants for railroad overpasses on county roads and city streets, as selected by MDOT. No appropriation of funds. Compare HBs 4522-4524. See SB 529 (appropriate federal funds). 425 and 427 passed.
- 433 UNDOCUMENTED IMMIGRANTS (Chang+10) SOS “shall issue” noncommercial and non-REAL ID operator’s licenses to persons who can prove residency but cannot verify their legal presence in the United States or supply a Social Security number. Require rules. Also HB 4835.
- 438 O.W.I. ARRESTS (VanderWall) Amend Code of Criminal Procedure to prohibit police from releasing persons from custody and issuing an appearance ticket after arrest for operating while intoxicated (OWI); clarify police discretion. Also HB 4627. Presented.
- 446 AIRBnB (Nesbitt+7) Amend Zoning Enabling Act to define short-term rentals as a residential use and exclude short-term rentals from definition of commercial property. Prohibit ordinances that effectively ban short-term rentals. Also HB 4722. Compare HB 5466. S-1 reported.
- 452 BULK S.O.S. RECORD SALES (Victory+6) Cut the price of bulk sales of driver and vehicle records, to governmental agencies and data aggregators. Repeal “market-based prices” set administratively by Secretary of State. Formerly 1.6 cents/record, now 7.0 cents as of April 2021. This bill: 1.75->2.0 in 2023 vs. 2.6 cents national average. Supported by Experian and IHS Market private title and registration data bases; for recalls, vehicle history, population data for parts vendors, but not solicitations (includes safeguards against solicitations and \$2,500/instance penalty). Compare SB 82 (3.5 cents in FY 2022). Passed.
- 465,466 FEDERAL AID SWAPS (Runestad+2) Allow local governments to trade federal aid for approved projects for state road funds, up to an annual total; avoid federal requirements except for prevailing wage and limits on use of public employees. P.As 49 and 50 of 2022.
- 493 GAS-PRICE SIGNS (Stamas+3) Require motor-fuel-price signs to give top billing to undreduced price, over price contingent on cash payment or with car wash.

- 507,508 EXPIRATION DATES, LATE FEES (Daley+1) Extend licenses and registrations expiring after March 1, 2021 and before August 1, 2021 for 120 days (now March 31, 2021). Extend various CDL provisions until August 31, 2021 to match federal waivers. Require plan for reopening Secretary of State offices and eliminating virus backlog. Do not collect \$10 registration late fee (for General Fund) if in-person, no-appointment service is not available at all branches. Tie-bar to additional SOS funding defeated. P.As 71 and 72 of 2021.
- 529 LOCAL BRIDGES (Schmidt+17) Appropriate \$1,500 million in federal virus funds to county and city bridges through FY 2025. Create \$126 million program for railroad overpasses. May not be possible under federal law. Passed Senate.
- 538 SIDEWALK DELIVERY ROBOTS; PEDESTRIAN RIGHT-OF-WAY (Lauwers) Legalize automated delivery robots on sidewalks, but not in streets. Define *automated delivery device* as not a *motor vehicle*, <32” wide and <1,000 lbs., equipped with an *automated driving system*, and capable of no more than 25 mph.
- Confer right of way on pedestrians (and devices) in unsignalized crosswalks. (Adopt nationwide standard language to cure omissions in Vehicle Code; pre-empt nonstandard local crosswalk ordinances under Sec. 605, such as Ann Arbor’s. Omit standard language giving vehicles right of way over pedestrians between crosswalks.) Prohibit overtaking vehicles stopped for pedestrians.
- 560 DELIVERY ROBOTS (Irwin) Define *automated delivery device* as a device (not a *vehicle* or *motor vehicle*) that is—
- no more than 40” wide
  - up to 400 lbs. loaded
  - maximum speed of 25 mph
  - equipped with an *automated driving system*
  - used to transport goods or perform services on a sidewalk, or highway.
- Include devices in automated-driving-system definitions and law.
- Enlarge definitions of *operate* and *operator* to include causing an automated delivery device to operate, by automation or by a remote operator.
- Pre-empt local ordinances.
- Require \$250,000’ worth of liability insurance. Exempt from auto-insurance law.
- Make *operator* liable for injuries or property damage.
- (Sec. 657) Subject devices to all provisions of the Vehicle Code. Award devices **all the rights and duties of a pedestrian**.
- Require operation near the right-hand side of the roadway (as with mopeds or scooters).
- Yield to pedestrians** and give an audible signal before overtaking pedestrians, as with electric scooters.
- (*Does not confer right of way on pedestrians and robots at unsignalized crosswalks, as in SB 538.*)
- Limit to 10 mph on sidewalks. Local sidewalk speed limits to be no lower than 6 mph.
- Legalizes street-using delivery robots. Compare SB 538.
- 561 DELIVERY ROBOTS (Irwin) Exempt *automated delivery devices* from no-fault insurance law.
- 580 VULNERABLE ROAD USERS (McCann+4) Define *vulnerable roadway user* as a pedestrian, bicyclist, a user of a wheelchair, or person “operating or riding a transportation device in compliance with” the Vehicle Code. Tie-barred to HBs 5181, 5182.
- 581 VULNERABLE ROAD USERS (McBroom+4) Make it a 5-year/\$5,000 felony for “an individual” to commit a moving violation that injures a farmer or vulnerable roadway user. Tie-barred to HBs 5181, 5182.
- 585 REGISTRATION by DEALERS (LaSata+16) Allow car dealers to apply for ~~titles and~~ plates for cars not sold by the dealer; do not charge \$5.75 for SOS on such transactions. Allow dealers to (\$0.4 billion out of \$2.7 billion’ worth of transactions are in cash, by unbanked persons.) charge up to 10% of value of the transactions (registration tax on a new \$35,000 car is \$210/year). Hearing held.
- 599 TICKET QUOTAS (Irwin) Amend Vehicle Code to prohibit police performance evaluations based on the number of traffic and parking citations issued.

- 617, 618 REPEAL 0.08% B.A.C. SUNSET (Victory+1) Technical-correction bills for defective bills HB 4308, 4309 (enacted). P.A.'s 85 and 86 of 2021.
- 639 TRAFFIC-CONTROL OFFICER (Zorn) To definition of *police officer* for purposes of enforcing the Vehicle Code, add, "a traffic control officer employed by a county, city, village, or township." To be unarmed. No qualifications or limits on duties.
- 640 TOW TRUCKS, SPRING WEIGHT RESTRICTION (Zorn) Amend Subsec. 722(8) to exempt tow trucks from seasonal weight restrictions, when traveling light or towing a disabled vehicle.
- 674 FUEL-INVENTORY TAX INCREASES (Nesbitt) Repeal tax increases on already-taxed fuel in dealers' inventories (for annual indexed fuel-tax increases beginning Jan. 1, 2022). House hearing held.
- 706 CONNECTED and AUTOMATED VEHICLE LANES; TOLLS (Horn+9 of both parties) Amend the Vehicle Code to allow MDOT to designate highway lanes as "automated vehicle roadways" and restrict lanes to automated vehicles; provide for tolls. (Originated with CAVnue firm in Dearborn-Ypsilanti area.)  
 Create new definitions having to do with *automated vehicle roadways*: segments designated by MDOT for an automated vehicle roadway system. Does not match automated-vehicle industry practices.  
 Add new Subsec. 642(3) enabling MDOT to impose "certain safety and technological requirements" (undefined) as a condition of use of an automated lane. Create offense of violating lane restrictions; standard fines apply. (Compare HB 4178.)  
 Add new Sec. 665c to allow MDOT to designate an automated vehicle roadway or lane, and to "require a user fee" as a condition of use. Allow MDOT to contract with an automated vehicle roadway system provider. Allow the provider to collect tolls on lane users to pay for the system. (*In combination with loose definition of "automated vehicle roadway," could be stretched to designate any state highway as a toll road. No regulation of tolls. No control on use of toll revenue.*) Pre-empt local ordinances affecting automated vehicle roadways; allow local enforcement. House hearing held; Rep. Howell asked what limits MDOT from designating lanes as toll facilities.
- 752 RUNOFF PERMITS (McMorrow+1) Stop all new MDOT highway construction and reconstruction projects until DEGLE issues a permit for each project's runoff; and evaluates alternatives including "green" runoff treatments, possible road closures, lane reductions, or conversion to transit lanes. (Does not apply to local roads. May conflict with constitutional authority of Transportation Commission.) Same as HB 5579.
- 765 8-YEAR PLATES (Schmidt+1) Require license plates to be printed on "retroreflective sheeting material" (such as 3M Scotchlite) on sheet aluminum. Increase license-plate replacement frequency (\$5 fee) from 10 to 8 years. Same as HB 5568.
- 810 INTERLOCKS (Johnson) Amends law on ignition interlocks mandated by drug and alcohol courts. See SB 872,
- 814 GASOHOL CREDITS (Daley) Allow fuel retailers credits against income tax of \$0.05/gallon for E15 and \$0.085 for E85.
- 816, 817 MEDICAL EXAMINATIONS (Wozniak) Create No-fault Medical Examination Board to select physicians to examine injured persons making insurance claims.
- 847 NO-FAULT MEDICAL BILLINGS (Santana) Create office of medical-billing ombudsman to assist providers in filing claims with insurers.
- 870 AUTO THEFT, KEYS (Runestad+8) Modernize theft law to criminalize use of a computer to program a key code for auto theft.
- 871 TOLL STUDY DUE DATE (Schmidt+1) Change completion date for toll study from July, 2022 to Jan. 31, 2023 (after 2022 election). Reported to House.
- 872 IGNITION INTERLOCKS (Johnson) Modernize definitions to refer to "specialty court programs." See SB 810.
- 874 WORK-ZONE SPEED CAMERAS (Schmidt) Authorize automated speed enforcement in work zones on state highways.

Define *automated speed enforcement system* as a sensor that detects speed-limit violations and records the vehicle license plate. (No standards of precision or testing.)

Define *operator* as an individual trained by MSP.

Images to show a vehicle's license plate, presumably including front license plates on semi-tractors.

Add new Sec. 627c to authorize MDOT or MSP (not local units) to use speed cameras in state-highway work zones. Require notification signs.

Create new civil infraction for an "individual" (not *person*) violating any Sec. 627 work-zone speed limit by 6 mph while workers are present, as detected by automation. No fine for first violation, issue "written warning" on new MSP form; <\$150 fine for second violation, <\$300 for subsequent violations (higher than usual fines). Citations require sworn statement by a police officer or system operator.

Registered owners or renters or lessees are presumed to be responsible; may rebut presumption by mail if the owner was not driving—not required to identify driver. (Unclear if "individual" includes a corporation; *individual* is used in its natural sense on Page 2, Line 9. May create unequal-treatment issue.)

Citations to be mailed by first-class mail; if not answered, then return-receipt requested, then personal service. Arrest warrants may issue for failure of an individual to appear (unclear if this applies to mailed citations).

Create new Automated Speed-enforcement System Unit within State Police, subject to appropriation, to operate the system and train operators making sworn statements.

Require report by MSP on citations, costs, and revenue after 5 years.

Amend Sec. 907 schedule of fines to conform to special work-zone fines.

Add new Sec. 907b to create Work Zone Safety Fund within MDOT; usable only for additional work-zone policing or traffic control devices that improve worker safety.

Add new Subsec. 909(3) to make fines payable to MDOT, not credited to libraries.

Same as HB 5750. Compare HB 5272. See HB 5286 (flashing lights on work-zone signs; not tie-barred).

875 PROHIBIT RED-LIGHT CAMERAS (Theis+11 Rs.) Explicitly prohibit use of automated cameras to enforce traffic signals. (Michigan law requires offense to be witnessed by an officer.) (Sponsor says it's in response to Biden administration promotion of speed cameras, constitutional rights, and corruption and enforcement for profit.) S-1 announced but not adopted to apply to all automated enforcement devices; compare HB 5284, and SB 874 and HB 5272 and 5750 (work zone speeds). Compare HBs 5501, 08, & 09 (school-bus camera amendments). Reported 8-0-2; passed 28-10-0.

883 COUNTY UNPAVED-ROAD SPEED LIMITS (Bayer, northern Oakland Co. + 4; Ds) Include unpaved roads in Sec. 628 modified speed limits. Preserve 627(10) exception for 45-mph general gravel-road limits in Oakland and Wayne Counties.

Exclude county gravel roads from modified speed limits under 628(1). Add new Subsec. 628(3) allowing "reasonable and safe" (undefined) county gravel-road limits to be established by majority vote of county road commission, MSP, and township board at its option. Gravel-road limits to be governed by 628(5) engineering study and 85<sup>th</sup>-percentile speed. (MSP maintains speed studies are meaningless on gravel roads.)

Change "person" to "individual." Change "shall" to "must." Change reference under definition of *design speed* from 6<sup>th</sup> to 7<sup>th</sup> (2018) edition of AASHTO design manual.

887 LANE CLOSURES (Hertel+6) Amend P.A.165 of 1917 (closures and detours) to require when closing a freeway completely, require "crashworthy temporary traffic barriers" that comply with the MMUTCD. When freeways are partially closed at night, require concrete barriers between traffic and workers. Modernize reference to MMUTCD. Also HB 5734.

943 WORK ZONE DEFINITION (Huizenga+2) Refine definition of *work zone* as "adjacent to a barrier, berm, lane, or shoulder . . . within which . . . work . . . is being conducted by 1 or more

individuals . . .” and include convoys and vehicles protected by rotating beacons at MCL 257.79d(c). Compare HB 5286.

- 945 STANDARDS of TREATMENT (Chang+12) Require treatment covered by no-fault insurance to be “based on medically-accepted standards” developed by independent authorities.
- 946 “MEDICAL” TREATMENT (Geiss+11) Add words: medical treatment and rehabilitative occupational training. Distinguish from nonmedical treatment, and exclude.
- 947 LONG-TERM CARE (McMorrow+13) Expand weekly hours of care to be covered under no-fault insurance, with no limit on care by family members.
- 972 REPEAL SALES TAX on MOTOR FUEL (Barrett+1) Exempt motor fuel from sales tax (permanently). Reduce sales-tax revenue by \$1,243 million/year at March 14, 2022 prices, from—
- |                                   |                    |
|-----------------------------------|--------------------|
| School Aid Fund                   | \$910 million/year |
| Revenue sharing and other         | 275 million        |
| Comprehensive Transportation Fund | 58 million         |
- (Revenues will be about ¼ less if prices revert to usual levels.)  
Compare HB 5570 (H-1), suspend fuel tax. Compare SB 984 (temporarily suspend sales tax).
- 973 USE TAX on MOTOR FUEL (Nesbitt+1) Conforming amendment for Use Tax Act for SB 974.
- 974 INTERSTATE DIESEL USE TAX (Lauwers) Amend 2004 Streamlined Sales and Use Tax Revenue Equalization Act to repeal the 6% use tax on motor carrier fuel bought out of state and burned on Michigan highways and paid through IFTA, and credited to the MTF. Reduce MTF by over \$12 million/year at 2017 rates. Tie-barred to SBs 972 and 973. Compare SBs 984-986.
- 984 SUSPEND SALES TAX on MOTOR FUEL (Ananich) Suspend sales tax on motor fuel through March 31, 2023. Reduce sales-tax revenue by \$1,243 million/year at March 14, 2022 prices, from—
- |                                   |                    |
|-----------------------------------|--------------------|
| School Aid Fund                   | \$910 million/year |
| Revenue sharing and other         | 275 million        |
| Comprehensive Transportation Fund | 58 million         |
- (Revenues will be about ¼ less if prices revert to usual levels.)  
Compare HB 5570 (H-1), suspend fuel tax. Compare SB 972 (permanently exempt).
- 985 SUSPEND INTERSTATE DIESEL USE TAX (Ananich) Amend 2004 Streamlined Sales and Use Tax Revenue Equalization Act to suspend the 6% use tax on motor carrier fuel bought out of state and burned on Michigan highways and paid through IFTA, and credited to the MTF, until April 1, 2023. Reduce MTF by over \$12 million/year at 2017 rates. Tie-barred to SBs 984 and 986.
- 986 SUSPEND USE TAX on MOTOR FUEL (Ananich) Conforming amendment for Use Tax Act for SB 985. Exempt motor fuel from use tax through March 31, 2023. Compare SB 973.
- 1002 INSURANCE RATE FACTORS (Chang+10) Amend Insurance Code to restrict factors that can be used to set insurance rates to accident record and miles driven only. Exclude convictions, territories smaller than cities, villages or townships, and “price elasticity of demand.” Same as HB 5990; compare HBs 4551, 4601, 6005.

## House

- 4014 MODIFIED SPEED LIMITS (Slagh) Amend Sec. 628 to require modified speed limits to be “determined in accordance with traffic engineering practices that provide an objective analysis of the characteristics of the highway and by the 85<sup>th</sup> percentile speed on the fastest portion of the highway segment for which the speed limit is being posted” rounded (up or down) to a multiple of 5 mph within 5 mph of the 85<sup>th</sup> percentile. Repeal requirement for “an engineering and safety study” (undefined).

Allow speed limits under Sec. 628 (not this act) to be set by any road agency below the 85<sup>th</sup> percentile speed “if an engineering and safety study demonstrates a situation with hazards to public safety that are not reflected by the 85<sup>th</sup> percentile speed,” but never below the 50<sup>th</sup> percentile. (Not significantly different from 2016 law.)

- Update reference to definition of *design speed* from 6<sup>th</sup> to 7<sup>th</sup> edition of AASHTO manual.  
 Update Wayne County population number. Similar to last version of 100<sup>th</sup> 4733. LMB, MTA support. MSP neutral. H-1 reported 11-1-1. Senate hearing held.
- 4016 DRIVER IMPROVEMENT COURSE (Lightner) Allow drivers to avoid license points and mask convictions (from insurers) by taking a \$35 driver-improvement on-line course up to 3 times at 5-year intervals (instead of once). Require study by SOS instead of vendors. 100<sup>th</sup> 5702.
- 4036 LEFT TURNS (VanSingel) Extend law awarding right of way to left-turning drivers after entering an intersection and yielding to through traffic, to vehicles that have not yet entered the intersection. Hearing held.
- 4075, 4076 WHEELCHAIR SIGN (LaFave+14) Replace standard D9-6 reserved-parking signs under Disabilities Civil Rights Act and Uniform Traffic Code (but not Vehicle Code and MMUTCD) with “leaning forward” symbol (as in NY and CT). Require use by public entities for replacement signs. (Conflicts with MCL 257.608 (MMUTCD) and 610 (penalty for nonstandard signs, prohibit sale of nonstandard signs), national MUTCD, standards of U.S. Access Board and ISO, ADA, Architectural Barriers Act, and FHWA Official Ruling No. 2(09)-111(I). Render handicapped parking spots unenforceable where nonstandard sign is used.) 100<sup>th</sup> 4516, 4517. Both passed 101-2.
- 4077 SELF-SERVE GAS STATIONS (LaFave+8) Amend NREPA to allow unattended unfenced self-service fuel pumps. Require notices, safety measures, and emergency shutoffs. Compare 100<sup>th</sup> 4792 vetoed for safety reasons. Reported.
- 4117 TWO-YEAR REGISTRATION (Johnson+8) Allow individuals to request light-vehicle registrations that expire after two years. For convenience only; no discount for early payment of road-use fee averaging \$140/year, but avoids \$8 tax for SOS and MSP in second year. Unclear if this will penalize users by delaying 10% reductions in first 3 re-registrations. Allow 120 days’ delay in plate renewal due to virus, for expirations through August, 2021. Tie-barred to SB 220 (farm plates by mail) and HB 4026 (2-year parks pass); both passed. P.A.112 of 2021.

#### DECRIMINALIZATION PACKAGE

Part of package abolishing misdemeanors for minor violations, and making fines uniform.

- 4139 O.R.V. CROSSING (LaFave+1) Amend NREPA to limit fine for improper crossing of a road by an ORV to \$150. 100<sup>th</sup> 5693
- 4141 MOPED REGISTRATION (Bolden+1) Make it a civil infraction to violate moped-registration law; no fine specified. Modernize insurance language. Tie-barred to HB 4153. 100<sup>th</sup> 5698. H-1 passed.
- 4143 REGISTRATION and TITLE (Clements+1) Make it a civil infraction and not a misdemeanor to drive an unregistered vehicle or violate title laws. No fine specified. Tie-barred to HB 4153. 100<sup>th</sup> 5685. H-1 passed.
- 4144 BIOMETRIC IDENTIFIERS (Howell+1) Conform fingerprinting law to bill decriminalizing first and second convictions for driving without a license (exclude violations punishable by less than 93 days’ jail). Tie-barred to HB 4153. 100<sup>th</sup> 5804.
- 4145 DEALER PLATES (Filler) Make it a civil infraction to misuse a dealer, manufacturer, or transporter plate; no fine specified. Tie-barred to HB 4153. 100<sup>th</sup> 5691. Hearing held.
- 4146 I.R.P. STICKERS (LaGrand+2) Make it a civil infraction and not a \$100 misdemeanor to operate a truck without a valid IRP registration; preserve \$500 fine for elected-GVW violations. Tie-barred to HB 4153. 100<sup>th</sup> 5688. Hearing held.
- 4147 DRIVER TRAINING (Manoogian+1) Make it a civil infraction to violate driver-ed. law; limit fine to \$150. Hearing held.
- 4148 MOTOR CARRIER FUEL TAX (Fink+1) Make it a civil infraction and not a misdemeanor to violate the Motor Carrier Fuel Tax Act; limit fine to \$150 (plus tax assessments). 100<sup>th</sup> 5696.
- 4150 FARM PLATES ( Glenn+1) Make it a civil infraction to misuse \$20 “special” farm plates and 3-month farm plates. No fine specified. Tie-barred to HB 4153. 100<sup>th</sup> 5686. H-1 passed.

4153 SUSPENDED LICENSE; APPEARANCE; UNPAID FINES; REGISTRATION FINES

(Mueller+1) Amend Vehicle Code to make it usually a civil infraction and not always a misdemeanor to drive with a suspended, denied, or revoked license. Limit fines to \$150 for the first violation, \$250 for second.

Third conviction a misdemeanor, up to 93 days and \$500. Cancel operator's license and vehicle registration for use of a vehicle in a crime, or failure to answer a citation "under this act" or pay fines and costs. (Drafting of new Subsec. 904(3)(c) is sloppy; should say "subsection" and not "Act?" Unclear if this applies only to 3<sup>rd</sup> convictions for operating without a license or to all citations. Appears to undo P.A.387 of 2020 (HB 6235) ending license suspension for failure to appear or pay fines.)

Make it a misdemeanor to operate with a license suspended for a serious violation, including drunk driving; up to 93 days or \$500. Allow vehicle impoundment.

Limit fines not otherwise specified to \$150, except no more than \$250 for—

- Unregistered operation
- Temporary plates
- Title and registration
- Dealer, transporter, and manufacturer plates
- IRP registration
- Moped registration
- Farm plates
- Unlicensed operation

(Typical registration tax is \$138-150.)

Tie-barred to 6 bills. 100<sup>th</sup> 5802.

4154 CONVICTION REPORTING (Bolden+1) Amend code of criminal procedure to conform reporting requirements to bill on unlicensed driving. Tie-barred to HB 4153. 100<sup>th</sup> 5803.

4155 POSSESSION of DRIVER LICENSE (Yancey+2) Amend Vehicle Code to make it a misdemeanor not to present a driver's license while operating, up to \$300 or 90 days; unless a police officer verifies through LEIN that the driver is licensed in which case it is a civil offense with fine limited to \$150. Tie-barred to HB 4153.

4165 FARM IMPLEMENTS on MACKINAC BRIDGE (Johnson+8) Allow implements of husbandry to cross the Bridge if they can maintain unspecified minimum speed. (Farm implements are not subject to length, width, or weight limits. May conflict with law prohibiting self-propelled farm implements on Michigan freeways at MCL 257.679a.) 100<sup>th</sup> 6156.

4178 H.O.V. LANES (Clemente+5) Clarify that MDOT may restrict highway lanes to high-occupancy or any other classes of vehicles (such as trucks, buses, automated vehicles or others). (Enable HOV lanes on I-75 in Oakland County, lanes to remain closed until the northernmost segments are complete, around August, 2023.) 100<sup>th</sup> 6164, 1079.

4179 H.O.V. LANES (Sneller+4) Update Vehicle Code language creating the offense of violating an HOV lane (none in Michigan at present); allow any road agency to open an HOV lane to other classes of vehicles (such as trucks, buses, or automated vehicles). Update lane-use language. 100<sup>th</sup> 6163, 1078.

4197 NO "SANCTUARY" (Hornberger) Prohibit local units from ordering police not to report persons to federal immigration agencies (as when pulling over drivers suspected of being illegal aliens). Allow residents to bring suit to force compliance. Impose fines on local officials. 100<sup>th</sup> 382, 383. Compare HB 4539. Reported.

4202 SCHOOL-BUS CAMERAS (Carter+4) Amend Vehicle Code to allow installation of stop-arm cameras by vendors. Allow police agencies to request photos, make photo evidence explicitly admissible (little change from existing law—photos are usable by prosecutors). Does not allow mailed citations. Delete optional sentence of community service. Tie-barred to HB 4204. 100<sup>th</sup> 5041. Compare SB 374 (\$500 fines). See HBs 5501, 08, and 09. P.A.50 of 2021.



- 4204 SCHOOL-BUS CAMERAS (VanWoerkom+4) Allow schools to install cameras. Define *stop-arm camera system*, set specifications. Tie-barred to HB 4202. 100<sup>th</sup> 5042. Compare SB 374. See HBs 5501, 08, and 09. P.A.52 of 2021.
- 4219 O.W.I. EXPUNGEMENT (Yancey+5) Allow application for (not automatic) expungement of public record of first conviction for operating while intoxicated after 5 years, except for causing injury or death or in commercial vehicles or drivers under 21. Records persist in driving record and CDLIS. Define *violation* to include local ordinances, laws of other states, and native tribes. (Allow travel to Canada.) Affects about 200,000 persons –*Gongwer*. 100<sup>th</sup> 1254 (vetoed); compare 100<sup>th</sup> 6453, 681. Tie-barred to HB 4220. Compare HB 4238, SB 177. P.A.78 of 2021.
- 4220 O.W.I. EXPUNGEMENT (Bellino+5) Conforming amendment for HB 4219. HB 4308 (repeal 0.08% sunset, avoid federal-aid penalty) tie-barred to this bill. P.A.79 of 2021.
- 4238 O.W.I. EXPUNGEMENT (LaFave) Allow application to courts to “set aside” first conviction for operating while intoxicated after 5 years, except for causing injury or death or in commercial vehicles. Records persist in driving record and CDLIS. Allow travel to Canada. Affects about 200,000 persons –sponsor. 100<sup>th</sup> 6453 H-2; compare 100<sup>th</sup> 681, 1254 (vetoed). Compare HBs 4219, 4220. Same as SB 177.
- 4239 VEHICLE IMMOBILIZATION (Mueller) When a vehicle is required to be immobilized by police (as after a reckless- or drunk-driving charge), replace confiscation of the license plate with a notification to LIEN. (Repeal imposition of plate-replacement fees without conviction.) 100<sup>th</sup> 6132.
- 4240, 4241 ASSET FORFEITURE (Yaroch, Wozniak) Technical amendment to appropriation of seized funds, including value of forfeited vehicles. No change to forfeiture powers. Passed.
- 4246 POST FUEL TAXES (LaFave+5) Require that pump inspectors attach a sticker to fuel pumps showing the current federal and state motor-fuel-tax rates (not sales or environmental taxes). (Gasoline: 26.8 cents/gallon state, 18.4 federal; Diesel: 27.2 state, 24.4 federal. State taxes rise every Jan. 1<sup>st</sup>.)
- 4272 MICHIGAN GAS CANS (Johnson+14) Exempt Michigan-made gas cans from federal regulation as not in interstate commerce. (Reaction to federal-standard cans.) 100<sup>th</sup> 4717. Re-referred.
- 4277 HAND-HELD CELL PHONES (Manoogian+9) Amend cell-phone and texting law to prohibit use of a “mobile electronic device” while driving. Define *mobile electronic device* as any hand-held or portable communication or game device. Allow use of navigation devices if data are not entered by hand. Allow emergency use. Allow voice-activated phones built into a vehicle, and hand activation of a phone feature or selection of a phone number. Exclude CB, amateur, and 2-way radio, and parked cars. Prohibit use of social networking sites and watching video. Allow primary enforcement stops; prohibit searches of vehicles. Exclude SAE Levels 3, 4, and 5 automated vehicles. Increase fines for second convictions; double fines in crashes. (*Roughly matches NCHRP best practices*.) Repeal phone law after 5 years. Tie-barred to HBs 4278 and 4279. H-5 passed 75-26-5.
- 4278 HAND-HELD CELL PHONE POINTS (Mueller+9) Assign points for repeat violations of prohibition on phone use, none for first conviction. Update language. Tie-barred to HBs 4277 and 4279. H-3 passed.
- 4279 CELL PHONES, GRADUATED LICENSES (Bellino+9) Conform graduated-license prohibition on cell-phone use to HB 4277. Repeal exemption for hands-free devices. Repeal exemption of cell-phone convictions from entry into driving record. Require report on enforcement and crashes. Tie-barred to HBs 4277 and 4278. H-3 passed.
- 4308 0.08% B.A.C. LEVEL, FEDERAL-AID PENALTY (Hammoud+2) Amend Vehicle Code to repeal Sept. 30, 2021 sunset of 0.08% blood-alcohol content; avoid withholding of 6% of STP and NHPP aid on Oct. 1<sup>st</sup>, (6% of \$885 million in FY2021, about \$53 million, lapsing after 4 years). Require Treasurer to give notice within 30 days when federal aid is no longer “conditioned on compliance with a national blood-alcohol limit;” revert limit to 0.10% 5 years after the notice. Tie-barred to 4309 & 4220 (O.W.I. expungement, passed). Enrolled. Effective Nov. 20, 2021 (after sunset, too late—replacement bills SB 617 and 618 passed immediately). P.A.80 of 2021.

- 4309 0.08% B.A.C. LEVEL (Filler+2) Conforming amendment to Code of Criminal Procedure for HB 4308. Tie-barred to HB 4308. Enrolled. Effective 90 days after enactment (too late—replacement bills SB 617 and 618 passed immediately.) P.A.81 of 2021.
- 4364-4366 SPEECH IMPEDIMENT (Lilly+1) Allow audiologists and speech pathologists to sign requests for communications impediment designation on driver licenses and LEIN. P.As 104-106 of 2021.
- 4409 TRANSPORTATION BUDGET (VanSingel+1) Fiscal-2022 budget. Create \$226 million Road and Bridge Bundling Initiative from General Fund (see HB 4420). One-time \$374 million from GF for bond repayment—see HB 4669, tie-barred to HB 4082 (effectively prohibits Governor from issuing road bonds). Prohibit use of funds for “non-directional markings” (slogans painted on streets). Prohibit use of funds for propane delivery in the U.P. See SB 92. H-1 reported to full Committee 5-0-2.
- 4447 JUDGES’ SALARIES (Lightner) Make district-court judges state employees. (Sever connection between fines and judges’ compensation by local court-funding units pass-through of state funds.) To be amended to deal with state funding of local pensions. Hearing held.
- 4451 DRIVER LICENSE TEST (Howell+3) Allow license-renewal test to be given remotely by authorized representative examiners (<170,000/year), \$5 extra fee. P.A.45 of 2022.
- 4481 ELECTRONIC LICENSE PLATES (Johnson+5) Prohibit government agencies or firms from collecting location data from (newly-legalized) electronic license plates. Plate GPS data to be property of the registrant; all other data to belong to SOS. 100<sup>th</sup> 5037.
- 4486 BRAIN INJURIES (Wozniak) Exclude brain-injury rehabilitation from fee controls in 2019 no-fault reform.
- 4522 RAILROAD OVERPASSES (Camilleri+20) Reduce road funding to all 617 road agencies by \$30 million/year for 5 years to fund grants for costly railroad grade separations. Also HBs 4532, 4524. Compare SBs 425-427, 529.
- 4523, 4524 RAILROAD OVERPASSES (Camilleri+20) Create grant program for railroad grade separations (no funding source). Favor downriver cities as recipients. Also HB 4522. Compare SBs 425-427, 529. H-1s passed.
- 4539 NO “SANCTUARY” (LaFave+15) Prohibit counties from prohibiting sheriffs’ deputies from communicating with immigration officials (as following traffic stops of persons suspected of being illegal immigrants). Create cause of action. Compare HB 4197 (cities). Hearing held.
- 4540 TRANSIT POLICE (Carter+3) Make transit police real law-enforcement officers. P.A.42 of 2021.
- 4541 STREETCARS (Filler+3) Amend Vehicle Code to cover Woodward Avenue “Q” Line. Require vehicles to be removed from street railway tracks after a crash. Allow police to tow cars or remove bicycles or objects blocking street railways. Allow drivers to overtake streetcars and use left lane to avoid tracks (“keep right” law notwithstanding). Allow bicyclists to use lanes away from the curb to avoid delaying streetcars. Prohibit all vehicles from parking or standing in street railways; allow police to tow cars or move bicycles obstructing street railways. Require bicyclists or vehicle operators to yield to streetcars.  
Prohibit boarding streetcars without paying fare. Prohibit loitering in streetcar stations; require proof of fare payment. Prohibit animals, eating, spitting, noise, outside parcels, and shopping carts on streetcars.  
Require transit police to be trained in the Vehicle Code before issuing citations. P.A.43 of 2021.
- 4544 CASINO TAX (Yaroch+1) Amend Strategic Fund Act to transfer \$60,000,000/year in Indian casino tax revenue to the roads funding formula.
- 4545 DE-FUND STATE HIGHWAYS and TRANSIT (Yaroch+5) Amend Vehicle Code to distribute all vehicle-related fees (registration and title, \$1.4 billion/year) to counties in proportion to the share of vehicles registered in each county; then distribute to the county, cities and villages in proportion to lane-miles. 100<sup>th</sup> 5283, similar to 100<sup>th</sup> 27. See HB 4546. Compare SB 32.
- 4546 DE-FUND STATE HIGHWAYS and TRANSIT (Wozniak+3) Distribute all motor fuel taxes

(\$1.465 billion/year) to counties in proportion to the number of vehicles registered in each county; then distribute to the county, cities and villages in proportion to lane-miles. Except only IFTA receipts, one cent's gasoline tax for bridges (\$46.3 million) and two minor funds. 100<sup>th</sup> 5284, similar to 100<sup>th</sup> 28. See HB 4545. Compare SB 32.

(In combination with HB 4545, increase local road funding; reduce STF by \$1.2 billion/year, CTF by \$255 million; forfeit \$1.1 billion/year in federal aid for having no state highway agency. De-fund state highway system and all transit agencies. Default on state transportation debt and ruin Michigan's credit rating. Would require new 27-cent fuel tax to replace existing funding for state highways and transit, plus additional tax to reverse decay of the system.)

4547 PAVED LANE-MILES FORMULA (Hertel+7) Change definition of *mileage* in county and city funding formulas from centerline miles to paved lane miles. Define *lane miles* as "miles of pavement going in 1 direction" (implies paved through lanes only and not turn or parking lanes or unpaved roads).

Favor urban counties and cities with multi-lane roads by around 2 per cent; penalize counties with above-average fractions of unpaved local roads by up to 10 per cent. 100<sup>th</sup> 4062, similar to 100<sup>th</sup> 683, 4782. 99<sup>th</sup> 944, 5706.

4551 INSURANCE, GENDER (Rogers+48) Prohibit denial of insurance coverage due to gender, gender identity, or sexual orientation.

4555 P.I.P. DEDUCTIBLES (Wozniak+2) Require auto insurers to offer variable deductibles in personal injury protection for named insureds and households, with "appropriately reduced" premiums.

4601 INSURANCE RATES (Aiyash+13) Prohibit auto insurers from basing rates on territory, insurance score ("credit information"), or "consumer data or information." Numerous prior introductions.

4606 EXPIRATION DATES (Mueller) Extend deadline for renewing vehicle registrations and driver licenses including CDLs during the pandemic from March 31 to June 30, 2021. Extend CDL group certifications until May 31, 2021, or otherwise as controlled by federal emergency declaration. Require report on SOS operations. (Lengthy delays for appointments still common in May. Drivers are required to show record of appointment instead of license or registration.) Tie-barred to \_\_\_\_\_. Compare SB 507. Compare HB 5159.

4627 O.W.I. ARRESTS (Brixie) Amend exception in P.A.393 of 2020 (SB 1046) prohibiting issuance of appearance tickets for operating while intoxicated, to clarify police discretion not to release intoxicated persons. Also SB 438. Hearings begun.

4631, 4632 AIRPORT ASSET FORFEITURE (Filler, Garza) Exempt airport authorities from requirement to obtain a conviction in drug cases before forfeiting assets under \$20,000 (including cars) instead of \$50,000. Reported to Senate.

4638 IGNITION INTERLOCKS (Sneller) Assess fees on manufacturers of OWI interlock devices, to fund inspections. Reported.

4660 FUNERAL PROCESSIONS (Bezotte+14) Require use of emergency flashers by funeral processions. H-2 passed.

4669 BOND POISON PILL (VanSingel) Require state to set aside a cash amount equal to transportation bond debt payments. Prevent Governor and Transportation Commission from issuing new debt. Reduce state-highway share of railroad-crossing projects. Reported.

4697 ONE-STOP OVERSIZE PERMITS (Maddock) MDOT may (not *must*) issue permits electronically for movement of mobile homes and other oversize loads for roads under all jurisdictions. MDOT to collect and distribute fees to local jurisdictions, and may add administrative and payment-processing fees that cover costs. 100<sup>th</sup> 5251.

4701 DRUG TESTING (Howell+4) Expand law on chemical tests of drivers to allow use of saliva or other bodily fluids for oral-fluid field tests for *per se* impairment, as for roadside tests for marijuana. No standard for impairment. (Implied consent and other OWI law is unchanged.) Hearing held.

- 4722 PROTECT AIRBnB (Nesbitt+7) Amend Zoning Enabling Act to define short-term rentals as a residential use and exclude them from definition of commercial property. Allow inspections, controls on ownership. H-11 passed in divided late-night vote. Compare HB 5465&66, SB 466.
- 4727 MARIJUANA LEVELS (Hornberger) Exclude marihuana from list of controlled substances. Prohibit vehicle operation with 5 or more nanograms of 3 marijuana-related chemicals per milliliter of blood. (According to the Impaired Driving Safety Commission of 2019, no roadside test and no level of THC has been found that equals *per se* intoxication.)
- 4787 MILITARY C.D.L. TEST (Markkanen) Waive written knowledge test for commercial driver license for persons with military truck experience. 100<sup>th</sup> 6298. Senate hearing held.
- 4793 VACCINE RECORD (Maddock+8) Prohibit drivers from voluntarily adding “immunization data” to their driver’s license.
- 4801, 4802 LICENSE CHARGING STATIONS (Schroeder+1) Require license and registration from DARD to operate retail electric-vehicle chargers. H-1s amended and reported.
- 4803-4805 CHARGING STATIONS at REST AREAS (Bellino+11) Allow electric-car chargers to be installed at rest areas on freeways (but not on other highways). (Illegal under federal law.) Hearing held.
- 4809 MOTORCYCLE P.I.P. INSURANCE (Wozniak+6) Amend insurance code to revise order of personal-injury payouts from insurers of motorcyclists injured in traffic crashes: shift payouts from auto owner’s to motorcyclist’s insurance, then the Assigned Claims Plan. Compare HB 5307.
- 4835 UNDOCUMENTED IMMIGRANTS (Kuppa+15) SOS “shall issue” noncommercial and non-REAL ID operator’s licenses to aliens who can prove residency but cannot verify their legal presence in the United States or supply a Social Security number. Require rules. Also SB 433. Hearing cancelled due to member “concerns.”
- 4844 VEHICLE LATE FEES (Slagh+16) Waive late fee for registrants registering for in-person appointments, if plate is expired less than 90 days. Waive higher fee for renewal of operator’s licenses if driver has registered for in-person appointment, if license is expired less than 90 days. (Delays in appointments up to 6 months in May, 2021. Appointments are being sold.) Compare HB 4606.
- 4861 SCHOOL-BUS DRIVERS (O’Malley) Eliminate waiver for diabetic school-bus drivers.
- 4874 VOLUNTEER POLICE (Alexander) Prohibit volunteer law-enforcement officers.
- 4899 TITLE TRANSFER (Filler+1) Increase total value of vehicles eligible for transfer to family members on the death of the owner from \$60,000 to \$100,000, and provide CPI inflation adjustment. Hearing held.
- 4915 CAR-SHARING INSURANCE (Hoitenga+5 of both parties) Amend Insurance Code to allow insurers to exclude peer-to-peer car sharing. H-3 reported.
- 4916 CAR-SHARING LIABILITY (O’Neal+5) Amend Vehicle Code to relieve owners from liability for cars being shared. Reported.
- 4917 PEER-TO-PEER CAR-SHARING PROGRAM ACT (Outman+4 of both parties) Create car-sharing programs: a “business platform” that connects vehicle owners with drivers who make an agreement for use of a vehicle. Excludes car rentals or network-car rides, although such firms may participate.
- Create new insurance requirements. Car-sharing program assumes liability for injuries during a car-sharing period. Insurance to be provided by owner, driver, program, or a combination. Require notices to drivers. Subject to fleet-registration law at MCL 257.801h (no discount).
- Require concession agreements to operate at airports. Tie-barred. Reported.
- 4939 AUTO SALES TAX (Damoose+25) Exempt auto rebates from sales tax. Hold School Aid Fund harmless. Marginally reduce transit funds. Passed.
- 4946, 4947 S.O.S. BACKLOG (Young+2) Appropriate \$25 million in federal virus funds for 200 temporary employees and overtime at Secretary of State offices. Compare SB 507.
- 4959 WORKER’S COMPENSATION, TRUCKING AUTHORITY (Fink+3) Require Worker’s Compensation Agency to notify Public Service Commission weekly of truck lines whose worker’s

disability compensation insurance coverage has lapsed. (Protects owners of impound yards entered by uninsured tow trucks.)

Require monthly web posting of all trucking certificate-of-authority applications and revocations. H-1 passed.

- 4960 TOWED VEHICLES, L.E.I.N. (Fink+4) Require towed impounded (but not claimed) vehicles to be entered in Law Enforcement Information Network within 24 hours. Conforms to federal court decision over Detroit towing. See administrative news, below. H-1 passed.
- 4973 BRIDGE HITS (Filler) Update road law to modernize language authorizing suits for treble damages against persons damaging bridges. Includes state-highway as well as county and city bridges. (Prevent frivolous challenges based on obsolete 19<sup>th</sup> century language. Road law is superseded by the Insurance Code that limits insurance payouts for accidental damages to tangible property to the lesser of actual repair costs or \$1,000,000, MCL 500.3121.) Passed.
- 4980 STREET RACING (VanSingel+1) Repeal law creating crime of “rendering assistance” to street races. Exempt Silver Lake dune from law prohibiting speed contests. P.A. 75 of 2021.
- 4976-4978 LOG-TRUCK FUEL RECIPROCITY (Markkanen+3) Allow Dept. of Treasury to negotiate agreements with other states (not Ontario) to allow log trucks to operate 30 miles across the state line without registering under IFTA; allow trucks to pay all fuel tax at the pump in either state. Slightly reduce road funds if fuel sales are attracted to Wisconsin by 10-cent-lower taxes. P.As 24-26 of 2022.
- 4983, 4984 CHILD SEATS (Kahle, Clemente+5) Change requirements for use of child safety seats from age bases to a mix of size and age. Change “police harassment” to “inappropriate enforcement.” Require training by a certified technician before waiving fine for no child seat. Reported.
- 4992 CARE REIMBURSEMENT (Berman+5) Amend Insurance Code to change the basis for reimbursement for treatment or rehabilitation to a survey of prices within 50 miles.
- 4997 LEFT-TURN LANES (Sneller+1) Prohibit traveling or overtaking in center left-turn lanes. Tie-barred to HB 4998. (Use of turn lane as a refuge when turning left onto a multi-lane road is illegal.) Passed.
- 4998 CENTER LANES (O’Malley+1) Remove obsolete 3-lane-road language. Tie-barred to HB 4997. Passed.
- 5071 EXPIRED LICENSES (Slagh) Refund or do not charge late fees for renewing an expired enhanced driver license after March 31, 2021, if it is expired less than 90 days and the driver has made a SOS appointment. (Refunds may be requested now. –SOS)
- 5095 CHARGING STATIONS (Rabhi) Allow electric-car chargers in state park-and-ride lots.
- 5125 INSURANCE REFORM (Rogers+38) Delay effect of percentage reductions in treatment-fee schedules by one year, until July 1, 2022.
- 5159, 5161 EXPIRATION DATES (Brixie, Aiyash+39) Grant delays in renewal of vehicle registrations and operator licenses and CDL medical certifications, usually to 90 days after enactment of bill. Stop collection of late fees, require refunds of late fees paid. Compare HBs 4606, 4844.
- 5162 S.O.S. APPOINTMENT SCALPING (Puri+42) Amend Consumer Protection Act to prohibit sale of Secretary of State appointments.
- 5164 CUT VEHICLE TAXES (Johnson+2) Reduce all fees collected by the Secretary of State by 10% except for walk-up no-appointment transactions, including registration tax and truck-weight fees and license fees. Undo half of 2016 increase; reduce road and transit funding by over \$130 million/year.
- 5181 TRANSPORTATION DEVICE (Kahle+21) Define *transportation device* as any human- or electric-powered device of up to 750 watts or 1 hp and a maximum speed of 25 mph, that carries people or property upon a highway (includes sidewalks), and “that is regulated under” the Vehicle Code, including wheelchairs, cycles (undefined), or Class 1 or 2 electric bicycles. Tie-barred to HB 5182, SBs 580, 581. Compare SBs 538, 560 (delivery robots).
- 5182 VULNERABLE ROAD USERS, SENTENCING (Rogers+21) Fix prison sentence for drivers causing injury to farmers or vulnerable roadway users. Tie-barred to HB 5182, SBs 580, 581.

- 5168-5171 NO-FAULT MEDICAL COVERAGE (Wozniak) Provide prior-authorization review process for drugs. Prohibit providers from claiming a lien against tort settlements. Create oversight board for independent medical examiners. Revise procedures for medical examinations by insurers.
- 5246, 5247 DISASTER RELIEF FUND (Cambensy+1) Shift \$5 million/year from state highways, county roads and city streets to grants to local road agencies for disaster plans and emergency road construction, to be awarded by 7-member commission of local officials.
- 5260 DEALER REGISTRATIONS (Witwer+20) Specify requirements for certifying trade organizations to train auto dealers in SOS registration procedures. P.A.17 of 2022.
- 5272 SPEED CAMERAS, WORK ZONES (Eisen+6 Rep., 2 Dem.; representing Grand Rapids, East Lansing; and Livingston, Monroe, Montcalm, Genesee, Shiawassee, Van Buren Counties, and the western U.P.) Define *automated speed enforcement system*. No required standards of accuracy. Add new Sec. 627c to allow road agencies, MSP, county sheriffs, and local units to contract for automated speed-enforcement cameras on roads “under their respective jurisdictions” (does not allow local cameras on state highways), in work zones only. Require notification signs. As in 17 other states. Create new violation of any Sec. 627 limit in a work zone when workers are present (not just 45-mph work-zone limits, but all limits other than Sec. 628 modified). No definition of *present* (see HB 5286). Police agencies to issue tickets to “individuals” (not persons) who are the registered owner of a vehicle (excludes corporate owners?). Owners may deny they were operating the vehicle; not required to identify the driver. Citations require sworn statement by officer. Delivery by mail, followed by return receipt and personal service; warrants may issue for failure to answer after service. Fine \$100 (plus ~\$35 costs and \$40 tax), \$250 for 3<sup>rd</sup> conviction. Usual Sec. 320a points presumably apply: up to 5 points for work-zone speed). Presumably appears on driving record visible to insurers.
- Compare SB 874. Conflicts with SB 875. See HB 5286 (flashing lights on work-zone signs; not tie-barred). House Transportation Chair indicates support. MDOT supports. Referred to Judiciary; hearing held; Rep. Johnson asked hostile questions. MSP Sgt. Nicole McGee raised due-process issues—SOS data, mailing, driver identification, other states, immediacy of behavior modification, equipment calibration, cost, presumption of innocence. Motorola, Conduent support.
- 5284 SPEED CAMERAS (Anthony+6 Dems. and 1 Rep., representing Lansing, East Lansing, Oak Park, Pleasant Ridge, Ferndale, Hamtramck, and parts of Livingston, Genesee, Kent, and Washtenaw Counties. One sponsor has promised to oppose HB 5284.) Define *automated speed enforcement system*. No required standards of accuracy. Add new Sec. 627c to allow road agencies, MSP, county sheriffs, and local units to contract with a firm for automated speed-enforcement cameras on roads “under their respective jurisdictions” (does not allow local cameras on state highways, or city cameras on county roads). Require notification signs. Police agencies to issue tickets to “individuals” (not persons) who are the registered owner of a vehicle (excludes corporate owners?). Citations require sworn statement by an officer. Owners may deny they were operating the vehicle; not required to identify the driver. Delivery by mail, followed by return receipt and personal service; arrest warrants may issue for failure to answer. Unclear if licenses may be suspended under Sec. 321a(1) for failure to answer mailed citations. Create new civil infraction for violating any Sec. 627 speed limit as evidenced by a camera (covers city-street limits dictated by driveway density, work zones, “general” 55- and 70-mph highway limits; excludes Sec. 628 “modified” speed limits set by traffic study). Standard fines, costs, and taxes apply—around \$170. Usual Sec. 320a points presumably apply (“any law or ordinance pertaining to speed,” 1–5 points). Presumably appears on driving record visible to insurers.

- Compare HB 5272 (work-zone cameras). Compare HB 4598 of 2001, other previous bills. Referred to Judiciary. Compare SB 706, automated-vehicle lanes. Conflicts with SB 875 (prohibit camera enforcement.)
- 5286 WORK-ZONE SPEED LIMIT SIGNS (Huizenga+2) Amend Subsec. 627(6) to allow speed-limit signs enforced “only where workers are present” to have flashing lights activated where workers are present. Allow *speed limit sign* to include a sign that displays an “electronic” “illuminated changeable digital message” that “displays the speed limit in a numerical format.” Change “person” to “individual” in Sec. 627. See HB 5272 (camera enforcement); not tie-barred. P.A.52 of 2022.
- 5290 ALL-SEASON ROADS (O’Malley) Amend Vehicle Code Sec. 722 to apply seasonal load restrictions to “portions of roads and streets.” Allow all-season roads to which restrictions do not apply to be posted in either list or electronic map form. Passed.
- 5303 INSURANCE CLAIMS (Wozniak) Amend no-fault insurance law covering overdue payments to care providers.
- 5307 MOTORCYCLISTS’ CLAIMS (Carter+39) Reverse order of priority for injury claims by motorcyclists to put motorcyclists’ insurers before auto insurers. Correct typo? Compare HB 4809.
- 5308 DISABLED VETERAN PARKING (LaFave+6) Define *totally disabled veteran*; make eligible for disabled parking spaces and placards. Create special license plate or tab. (*Disabled veterans are exempt from usual vehicle registration tax for 1 passenger car per household.*)
- 5325 DEALER PREMISES and HOURS (Green) Require vehicle wholesalers, junkyards and brokers to have enclosed buildings, and be open at least 15 hours per week. Require auto dealers to be open at least 30 hours per week. Compare SB 128 (enacted).
- 5341 NO-FAULT P.I.P. MINIMUM Add health-care sharing ministries to list of insurers qualifying for minimum \$50,000 PIP coverage.
- 5356 CRACKED WINDSHIELDS (Johnson+5) Amend “unsafe condition” law to prohibit traffic stops by police for cracked or chipped windshields.
- 5363 MACKINAC BRIDGE TOLLS (Johnson+4) Amend Mackinac Bridge Authority law to require pre-paid electronic or video tolls interoperable with E-ZPass, with no enrollment fee, by 2024. (Membership in E-ZPass has been refused due to low Bridge volumes.)
- 5369 HIGHWAY CONTRACTS; PROHIBIT TOLLS (Carra+1) Require all new MDOT construction projects to be operated and maintained by the contractor for at least 10 years. Allow financing by contractors. Allow similar contracts by local agencies. Prohibit tolling.
- 5370 LEFT TURNS (VanSingel) Require drivers turning left out of driveways to yield to traffic “from the opposite (*means what?*) direction.” (*Sponsor: intended to remedy Oceana County court decision finding no violation for failure to yield to oncoming traffic while turning left into a driveway.*) MSP supports. Passed.
- 5381 LICENSES for PAROLEES (Brann+15) Provide driver licenses to parolees eligible to drive, upon release from prison. Tie-barred to HBs 5380 & 5382. Hearing scheduled.
- 5391 MANDATORY CAR CHARGERS (Rabhi+10) Amend construction code to require one Type 1, Level 2 electric-vehicle charging station for every 25 nonresidential parking spaces above the first 25, or 3% of spaces, at each new or resurfaced parking lot. Exempt short-term parking, allow other exemptions. Require rules and standards. (*Probably an unconstitutional taking.*)
- 5408 STATE PARKS PASS (Cherry+9) Change plate-renewal form to include fee for state-parks pass in amount due unless owner deducts it. Offer opportunity to donate to state parks. Tie-barred to HBs 5409 & 5410 (flexibility in DNR use of fees). Hearing held.
- 5429-32 AUTO LOAN INSURANCE (Beeler+3) Amend Motor Vehicle Financial Protection Products Act, Insurance Code, and other laws to eliminate asset-protection waivers for vehicles bought on instalments that are total losses or diminished in value. Replace with “debt waivers,” “vehicle value protection agreements,” and “asset-protection products.” Hearing held.
- 5436 BAIL; SURRENDER of LICENSE (Fink+12) Amend Code of Criminal Procedure with all-new criteria for pretrial release. Repeal surrender of driver license by persons released on bail. See HBs 5441, 5442, and 5443.

- 5441 BAIL (Johnson+11) Repeal 1966 law providing for bail for criminal vehicle offenses (MCL 780.61-73). Tie-barred to HBs 5436 and 5442.
- 5442 SURRENDERED LICENSE RECEIPT (Meerman+12) Amend Vehicle Code to repeal reference to receipts issued for driver licenses surrendered as a condition of pre-trial release. Tie-barred to HBs 5436 and 5441.
- 5470 DIGITAL DRIVER LICENSE (Anthony+14) Allow Secretary of State to contract with a vendor to issue electronic driver licenses containing a QR code, for loading on a smart phone.
- 5498 CARE-STANDARDS DEFINITION (Rogers+36) Amend Insurance Code to define *medically-accepted standards* of care, excluding private firms' standards.
- 5499 CARE HOURS (Stone+38) Increase in-home attendant-care hours payable from no-fault insurance.
- 5500 TREATMENT DEFINITION (Bezotte+38) Define what is included in *medical treatment*. Amend Insurance Code to specify medical treatment.
- 5501 SCHOOL-BUS CAMERAS (Clements) Amend Pupil Transportation Act (as amended by HB 4202) to replace "private vendor" with an agreement between the school district and a police agency. Promoted by Buspatrol firm which uses cell-phones to transmit camera data; says tickets would be issued by police and mailed. Compare HBs 4202 & 4204 (enacted); SBs 374, 76, & 77. Conflicts with SB 875. Tie-barred to SBs 5508 & 09. Hearing held. Rep. Yancey recommends replacing "operator" with vehicle "owner."
- 5508 SCHOOL-BUS CAMERA FINES (Carter+2) Conform Revised Judicature Act to to HB 5509 ("may" credit fines to schools). See HBs 4202 & 4204 (enacted); similar to SBs 374, 76, & 77. Conflicts with SB 875. Tie-barred to SBs 5501 & 09. Hearing scheduled.
- 5509 SCHOOL-BUS CAMERA FINES (Puri+1) Amend Vehicle Code to allow camera enforcement of school-bus stop arms by prosecutors. Mandate fine of \$500 (contrary to recent bills lowering and standardizing traffic fines). Fines for passing a stopped school bus "may be" credited to school districts instead of libraries and local units, including fines for violating local ordinances. Does not enable mailed tickets. See HBs 4202 (enacted) & 4204; similar to SBs 374, 76, & 77. Conflicts with SB 875. Tie-barred to SBs 5501 & 08. Hearing scheduled.
- 5510 WEIGH STATIONS (Meerman+1) Amend Vehicle Code to allow a truck to bypass weigh stations "if the ramp to the weigh station is full" (undefined).
- 5522 POLICE HIRING (Mueller) Supplemental appropriation of \$57.5 million in federal grant funds to encourage recruits from out of state to work for MSP and local police forces that do not mandate vaccination. (Could increase traffic enforcement.)
- 5568 8-YEAR FLAT PLATES (Sneller+15 of both parties) Require license plates to be digitally printed (by proprietary printers) on "retroreflective sheeting material" (only 3M Scotchlite complies by Oct. 1, 2022 –SOS) on (flat) sheet aluminum. (Abolish stamping and painting.) Increase license-plate replacement frequency (\$5 tax) from 10 to 8 years. Reported.
- 5570, 5571 SUSPEND FUEL TAX (Johnson+7) ~~Repeal indexing of fuel tax rate to consumer price index that took effect January 1, 2022; revert to 25.9 cents/gallon for gasoline and 26.3 for Diesel. Reduce road and transit funds by about \$50 million/year.~~  
Reduce motor fuel tax rate to \$0.00 between April 1 and Sept. 30, 2022. Require that "a person other than an end user shall not enrich himself" (*sic*) and pass on the tax cut to end users (no means of enforcement). Reduce road funds by \$750 million (no backfill from General Fund). Would be effective March, 2023. Vetoed. See HB 5971 (repeal indexing).
- 5573 8-YEAR DRIVER LICENSES, SIGNATURES (Bollin+5) Require new signatures upon driver-license renewal; capture electronically and upload to qualified voter file. Repeal 2020 amendment allowing driver licenses to be renewed for two 4-year periods; reduce to 8 years total. See HBs 5574, 5575 (qualified voter file). Compare HB 5885. Reported.
- 5579 RUNOFF PERMITS (Pohutsky+22) Stop all new MDOT highway construction and reconstruction projects until DEGLE issues a permit for each project's runoff; evaluate alternatives including "green" runoff treatments, road abandonment, lane reductions, or conversion to transit



- lanes. (May conflict with constitutional authority of Transportation Commission. Does not apply to local roads or private construction.) Same as SB 752.
- 5583, 5584 MILLAGE MATCH (Brixie+37) Create Raise Up Local Grant Program in Treasury. Make \$500 million in American Rescue Plan Act funds available to local units with below-average taxable value per capita (54 counties, 224 cities, and 223 villages –*Gongwer*), up to an amount equal to 2 mills’ tax. Usable to match new restricted road millage (incent tax increases). Tie-barred to SB 5584.
- 5626 INSURANCE LAPSES (Carter+18) Extend from Jan. 1, 2022 to Jan. 1, 2023 the prohibitions on premium increases and denial of coverage to auto owners who failed to maintain continuous coverage.
- 5648 MILITARY AUTO INSURANCE (Frederick+1) Amend Vehicle Code to exempt Michigan residents stationed out of state on active military service from requirement to have no-fault insurance when renewing registration. Allow paper evidence of insurance.
- 5649 MILITARY AUTO INSURANCE (Martin+1) Conform Insurance Code to HB 5648.
- 5662 C.D.L. INSTRUCTION (O’Malley+1) Amend driver-training law to define *commercial vehicle driver training* and *theory instruction* to match 49 CFR Part 380 and other federal regulations. Set standards for facilities and instructors. Require registration with FMCSA. Avoid withholding of federal road aid to Michigan in Fiscal 2023. Preserve reciprocity for Michigan truck-driving schools. Allow continued issuance of CDL learner’s permits after Feb. 7, 2022. Update language. H-1 reported to Senate.
- 5663 C.D.L. TRAINING and ENDORSEMENTS (Sneller+1) Amend Vehicle Code to match 49 CFR Part 380. Require training for hazmat and bus endorsements. Update language. Reported to Senate.
- 5667–5670 P.I.P SELECTION (Clements+1) Lengthen time period when election of a level of PIP coverage remains in effect (until changed by policyholder).
- 5678 VETERANS’ PLATES (Slagh+5) Repeal \$5 service fee for various classes of veterans’ and service members’ commemorative plates. Update language. H-1 passed.
- 5698 NO-FAULT FEE SCHEDULE (Green+57 of both parties) Revise limits on payments to care providers for persons injured in auto crashes. Create “cascading” schedule of payments for hospital and home care for crash injuries. Double the number of hours of paid home care, by family or providers, from 56 to 112/week. Require reimbursement of care costs not covered by Medicare, up to some multiples of payments by Medicaid or the VA.
- 5718 TRANSPORTATION NETWORK VEHICLES (Rendon+11) Amend Insurance Code definitions of “transportation network vehicles” such as Uber. Conforming amendment for HB 5719. Hearing held.
- 5719 P.I.P BENEFITS for FOR-HIRE VEHICLES (Hauck+11) Amend the Insurance Code to change the priority for payment of injury benefits to passengers and operators in for-hire vehicles. For all public and private buses, taxis, and network cars, remove requirement for operator’s insurance to pay if not covered from other insurers (uninsured claims resort to Assigned Claims Plan). For limousines, ambulances, “party” and shuttle buses, remove the requirement that the vehicle owner’s policy is the first to pay. (Said to be needed to allow limousines to continue to afford insurance in Michigan.) Delete references to “transportation network vehicles.” Tie-barred to HB 5718. Hearing held.
- 5723 TICKET QUOTAS (Coleman+17 of both parties) Strengthen prohibition on evaluating police officers based on the number of citations. Allow collection of data on racial discrimination.
- 5750 WORK-ZONE SPEED CAMERAS (Cambensy+5) Authorize automated speed enforcement in state-highway work zones.  
 Define *automated speed enforcement system* as a sensor that detects speed-limit violations and records the vehicle license plate.  
 Define *operator* as an individual trained by MSP.  
 Images to show a vehicle’s license plate, presumably including front license plates on semi-tractors.

Add new Sec. 627c to authorize MDOT or MSP (not local units) to use speed cameras in trunkline work zones. Require notification signs.

Create new civil infraction of an “individual” (not *person*) violating any Sec. 627 work-zone speed limit by 6 mph while (should say *where*) workers are present as detected by automation. No fine for first violation, issue “written warning” on new MSP form; <\$150 fine for second violation, <\$300 for subsequent violations (higher than usual fines). Citations require sworn statement by a police officer or system operator.

Registered owners or renters or lessees are presumed to be responsible; may rebut presumption by mail if the owner was not driving—not required to identify driver. (Unclear if “individual” includes a corporation; *individual* is used in its natural sense on Page 2, Line 9.)

Citations to be mailed by first-class mail; if not answered, then return receipt requested, then personal service. Arrest warrants may issue for failure of an individual to appear (unclear if this applies to mailed citations).

Create new Automated Speed-enforcement System Unit within State Police, subject to appropriation, to operate the system and train operators making sworn statements.

Require report by MSP on citations, costs and revenue after 5 years.

Amend Sec. 907 schedule of fines to conform to special work-zone fines.

Add new Sec. 907b to create Work Zone Safety Fund within MDOT; usable only for additional work-zone policing or traffic control devices that improve worker safety.

Add new Subsec. 909(3) to make fines payable to MDOT, not credited to libraries.

Same as SB 874. Compare HB 5272. See HB 5286 (flashing lights on work-zone signs; not tie-barred). Re-referred to House Judiciary.

5773 FINE SURTAX (Mueller+2) Amend Vehicle Code to reduce the Justice System Assessment on traffic fines from \$40 to \$30. Passed.

5775 LICENSES for PAROLEES (Brann+13) Provide driver licenses to convicts eligible to drive, upon release from prison. Compare HB 5381. Tie-barred to HB 5382.

5790 STATE POLICE BUDGET (Brann+1) Administration Fiscal-2023 MSP budget includes \$3.7 million for data collection from traffic stops, in response to disparities found in 2020 study.

5791 TRANSPORTATION BUDGET (VanSingel+1) Fiscal-2023 Transportation budget.

5870 LATE BENEFITS PAYMENTS (Berman+3) Provide for 300% penalty for P.I.P. benefits paid more than 90 days late.

5882 HISTORIC-VEHICLE PLATES (Roth+10 of both parties) Expand unrestricted use of historic-vehicle plates from August to Memorial Day through Labor Day.

5885 LICENSE SIGNATURE (Bollin+5) Same as HB 5886 for enhanced driver licenses. Compare HBs 5573-5. Hearing held.

5886 8-YEAR DRIVER LICENSES (Bollin+5) Require new signature and photograph upon driver-license renewal; capture electronically and upload to qualified voter file. Repeal 2020 amendment allowing driver licenses to be renewed for two 4-year periods; reduce to 8 years total. Prohibit display of part of a Social Security number on a license. See HB 5885. Compare HB 5573. Hearing held.

5931 REPEAL NO-FAULT REFORM (Rabhi+17) Repeal large portions of Insurance Code. Appears to undo 2020 changes to no-fault law—not understood. Cut fines in half for violations. Repeal prohibition of rate-setting factors except sex and marital status. Change order of priority among insurers for payment of benefits. Compare HBs 5996, 6005.

5957 COURT COSTS (Lightner) State Court Administrative Office (SCAO) to recommend state court-funding formula to legislature if Supreme Court disallows collection of court costs; state to pay for trial courts.

5967 FINANCIAL PRODUCTS (Beeler+3) Include violation of the Motor Vehicle Financial Protection Products Act in the definition of *unfair practices* in the Consumer Protection Act.

5971 REDUCE FUEL TAX (Glenn+3) Repeal indexing of fuel-tax rate to consumer price index (CPI) that took effect January 1, 2022; revert from 26.792 to 25.9055 cents/gallon for gasoline and from

27.2 to 26.3 for Diesel. Reduce road and transit funds by about \$49 million/year, and more in future years. Same as HB 5570 as introduced. Referred to Tax Policy.

5988 MODIFIED SPEED LIMITS, CITIES (Anthony+13) Amend Sec. 628 to create new criteria for setting speed limits in villages and cities, including state trunklines.

Exempt cities and villages from Subsec. 628(5). City councils to set limits legislatively on city streets. Consideration of the 85<sup>th</sup>-percentile speed and safety and engineering studies would be optional. Modified limits within cities including state highways and freeways must consider the numbers of—

- Speeding tickets issued
- Accidents due to speeding or reckless driving
- Accidents involving pedestrians
- Complaints of speeding made to the local police agency

(No weighting or decision process specified. *Consider* is undefined.) Require public notice and 45 days' comment period. Allow villages and cities to request determination of speed limits on all trunklines including freeways (not county roads) within cities, using new criteria instead of the usual MDOT/MSP process for trunkline limits.

Update language. Replace "person" with "individual." Update Wayne County population. Change reference to 7<sup>th</sup> edition of AASHTO design manual in definition of *design speed*.

In response to complaints of speeding on M-99 in Lansing. Compare HB 4014.

5990 INSURANCE RATE FACTORS (Anthony) Amend Insurance Code to restrict factors that can be used to set insurance rates to accident record and miles driven only. Exclude convictions, territories smaller than cities, villages or townships, and "price elasticity of demand." Same as SB 1002.

Compare HBs 5931, 6005, others.

AUTO-INSURANCE REFORM PACKAGE (32 Democratic sponsors) (From legislature's summaries; bills not all read in detail.) Compare HB 5931, others.

5996 Allow benefits for "off-label" treatments.

5997 Create 300% penalty for bad-faith denial of insurance benefits.

5998 Apply Consumer Protection Act to auto insurance.

5999 Require reports on number of complaints to DIFS.

6000 Require DIFS approval of rate increases; require hearing.

6001 Impose 30-day limit on delivery of refunds from MCCA.

6002 Prohibit use of third-party firms to review administrative appeals.

6003 Prohibit requirement for a specific form for reasonable proof of loss.

6004 Require MCCA to disclose actuarial calculations for rate-setting.

6005 Restrict factors that can be used to set insurance rates. Require insurers to offer the lowest premiums if it makes several rating plans available. Compare HBs 5931, 5990.

6006 VEHICLE TAX (LaFave) Reduce all vehicle-registration taxes by 20% beginning Jan. 1, 2023 (undo 2016 tax increase). Reduce typical vehicle tax from about \$140/year to \$112; reduce road and transit funds by \$275 million/year.

6018 DRIVER EDUCATION CONTENT (Shannon+8) Require 1 of 24 hours of driver classroom instruction to be devoted to (almost nonexistent) laws governing freeway merging.

6022 ROADS LOTTERY (Eisen+9) Specify \$1 monthly lottery game awarding revenues 45% to prizes and 45% in equal shares to each county road commission and 5% to schools.

HR 115 S.O.S. APPOINTMENTS (Carra) Ask the Secretary of State to guarantee availability of appointments with 2 to 10 business days.

### **Mentioned but Not Introduced**

INCREASE LOOKUP FEES (Secretary of State) Increase fees for driver records (as for truck-driver hiring) to pay for SOS operations.

ELECTRIC-CAR REBATES (Whitmer administration) Subsidize electric-vehicle purchase: \$2,000 for a car and \$500 for home charger installation. No source of funds specified, presumably General Fund – income tax.

SUSPEND SALES TAX ON FUEL (Sen. Ananich) Suspend 6% sales tax on motor fuel for 1 year or until fuel prices decline to some level. Reduce sales-tax revenue by \$1,243 million/year at March, 2022 prices, divided by—

School Aid Fund	\$910 million/year
Revenue sharing and other	275 million
Comprehensive Transportation Fund	58 million

Compare HB 5570 (H-1).

### **Court Cases and Decisions**

IMPEDING TRAFFIC Chelsea 143-A District Court dismisses tickets for impeding traffic during a demonstration, finding that MCL 257.676b is “unconstitutional on its face” because it is content-based, allowing charity solicitation by standing in travel lanes, but not other speech. Not a precedent-setting court.

DETROIT TOWING U.S. District Court orders Detroit police to notify SOS within 24 hours of towing a car. Find 2004 state law unconstitutional requiring payment of (often inflated) towing and storage charges (\$1,000 maximum for light vehicles, no maximum for commercial vehicles) before allowing a court hearing, MCL 257.252-254, particularly 257.252a(6) and 252b(8). Feb. 25, 2021.

Arrests of Detroit police continue in federal “Operation Northern Hook” investigation of towing.

COURT COSTS Court of Appeals issues published opinion allowing district courts to make criminal defendants pay uncontrolled costs, rejecting argument that costs incentivize convictions. –Lehto

ANONYMOUS TIPS In *People v. Pagano* (MSC Docket No. 159981) Supreme Court reverses Court of Appeals 6-0, finding that an anonymous tip is not enough to justify a drunk driving arrest if the officer does not observe any violations. April 21, 2021.

NO-FAULT CARE REIMBURSEMENT Court of Appeals Docket 356487 Long-term-care beneficiaries argue that reimbursement for long-term care of existing crash victims under no-fault cannot be reduced by a blanket 45% on July 1, 2021; 73 legislators submit brief stating that they did not intend reimbursement-rate reductions to be applied retroactively.

M.S.P. RACIAL PROFILING ACLU sues Michigan State Police on behalf of a driver accused of violating a signal, over unequal protection and alleged racial profiling in traffic stops. In U.S. District Court for Eastern District of Michigan, Southern Division.

METABOLITES In *People v. Stock*, Docket 160968, Supreme Court reverses Appeals Court and finds that metabolites (of cocaine) are not sufficient to support a conviction for intoxicated driving.

TIRE CHALKING U.S. appeals court rejects 3-0 City of Saginaw’s second appeal of U.S. district court’s 2019 finding that tire-chalking (to record parking time) is an unwarranted search, based on impermissible touching of the car. Returned to U.S. district court covering MI, KY, OH, TN. Certified as a class action enabling reimbursement for tickets. Jan., 2022.

UNINSURED NONDRIVERS Assigned Claims Plan drops suit challenging order to provide unlimited PIP for uninsured nondrivers injured before July 2, 2021 (now capped at \$250,000).

ILLEGAL TRAFFIC STOPS, POLICE KNOWLEDGE OF LAW In NMA-assisted case *Michigan v. Owen* (Docket No. 160150), Michigan Supreme Court declines 4-3 to hear appeal by prosecutors of Court of Appeals dismissal of drunk-driving conviction following stop for speeding on a city street with improperly-posted speed limit; reject argument that evidence should stand if it’s the fruit of an illegal traffic stop made because of officer’s ignorance of the law. (Based on a stop for speeding on an improperly-posted street in Saranac.) Dec. 30, 2020. In August, 2021, prosecutors appeal to U.S.

Supreme Court; *certiorari* denied.

INSURANCE DATABASE In U.S. v. Stone, Federal Court for the Eastern District of Michigan finds that state insurance database that is only 90% up to date (updated twice a month) is probable cause for stopping a car shown as uninsured.

ROADSIDE FINGERPRINTING In 2 combined cases, Docket No. 160958-9, Michigan Supreme Court to hear case against City of Grand Rapids for fingerprinting and photographing persons without IDs stopped by police but not charged with crimes. Appeals Court found fingerprinting is not a search. Nov., 2021.

SNOWMOBILE A MOTOR VEHICLE In Supreme Court Dockets 161948 and 161952, Court refuses to hear DNR's request to overturn Court of Appeals Docket 348452 finding that a snowmobile is a *motor vehicle* (undefined) under the highway exception in Governmental Tort Liability Act (in case where DNR officers on a snowmobile ran a snowmobile off a county local road).

TICKET QUOTAS In King v. Rockford Dept. of Public Safety, federal traffic-ticket challenge discovery reveals documentation of "traffic-stop" quota of 28/month or 2/10-hour shift, generating pretextual stops. –WOOD, Lehto broadcast.

### **Local Ordinances**

FLINT STREET RACING Proposed Flint ordinance would allow City to seize cars and other possessions of street racers, drifters, or speeders. –draft not read; from Lehto report.

DETROIT AUTO RACE City Council contracts to move Indy-car race from Belle Isle to downtown.

### **Administrative Actions**

LICENSE RENEWAL Driver licenses to be renewable at store kiosks for \$3.95 surcharge if no photo is required.

LICENSE EXPIRATION Driver licenses to expire after 12 years instead of 8, starting July 1, 2021.

REAL I.D. Federal government delays 2005 requirement for hardened driver license until May, 2023.

M.S.P. TOWING Attorney General warns of excessive charges (\$639-850) for towing cars from flooded freeways by firms referred by Michigan State Police; reminds drivers that they may file complain with Consumer Protection Division.

DETROIT TOWING FBI raids offices of 2 Detroit City Council members in towing-related corruption investigation. – Detroit *Free Press*. City Council moves towing rotation from Board of Police Commissioners to low bids under the Office of Contracting and Procurement, Sept. 9, 2021.

INSURANCE PAYMENTS DIFS warns insurers to pay health-care provider bills within 30 days and not to unreasonably deny payment.

INSURANCE FEE SCHEDULES DIFS rules take effect adopting Medicare care-provider fees, and adjustments and exceptions, under no-fault law. MOAHR 2020-114

M.C.C.A. REFUND DIFS announces Catastrophic Claims Association will make early refund of about 60% of its \$5 billion surplus on \$27.3 billion balance ahead of Sept., 2022 scheduled review date; \$400/car by May 9, 2022; \$80 for historic plates.

2022 MOTOR FUEL TAX RATE Treasury sets motor fuel tax rate at 27.2 cents/gallon in Calendar 2022, based on inflation in 2020-2021. True gasoline rate is 26.792 cents after 1.5% deduction.

LICENSE GENDER Secretary of State allows nonspecific sex notation on driver licenses.

LICENSE RESTORATION Secretary of State ends 150,000 license suspensions following 2020 changes in penalty laws in P.A.376 (HB 5846) of 2020, and others, effective Oct. 1, 2021. Out of 350,000 reinstatements for all purposes so far. Reinstatement fees, renewal fees, and other convictions still apply to license reinstatement. –Gongwer

DRIVING RECORDS Secretary of State removes 350,000 records of conviction under 2020 penalty reforms. –Gongwer

PERIOD PLATES Secretary of State reissues 1965 "Water-winter Wonderland" blue plate, \$5 extra.

**WYOMING CAMERAS** City of Wyoming to install plate readers and cameras at 6 locations to record all passing traffic. –Lehto report.

**ELECTRIC-CAR SURTAX** Secretary of State announces Calendar-2022 increases in surtaxes: plug-in hybrids, from \$37 to \$40; pure electrics, from \$135 to \$140.

**M.S.P. CAMERAS** Michigan State Police to use 1,600 body cameras to record data on racial disparity in traffic stops.

**CARBON NEUTRALITY** Governor announces plan to make Michigan carbon-neutral by 2050.

Provide chargers for 2 million electric vehicles by 2030, including 50% of new light vehicles and 30% of new trucks.

### **Corporate Actions**

**INSURANCE RATES** *The Zebra* reports that Michigan auto-insurance premiums dropped 18% following reform effective July 1, 2020 and decline in driving during the pandemic, but were still the highest in the nation in the last 4 months of 2020, averaging

Michigan	\$2,535/year
Detroit	5,072 (highest city)
Ohio	926 (lowest state)
Illinois	1,285
Minnesota	1,398
Wisconsin	1,080
National average	1,483
Haslett, Michigan	790 (2019 Chevy, no tickets, + umbrella liability)

**INSURANCE DISCRIMINATION** Report by U of M Poverty Solutions finds that zip codes with more than 50% Black residents have average premiums of \$5,500 vs. statewide average of \$3,700, due to correlation of non-driving rate factors with inequality in housing, labor markets, and education.

**BEHAVIOR-BASED INSURANCE** GM requests regulatory approval for offering “algorithm-based” auto insurance governed by accelerometer and usage data from OnStar.