



Senate Fiscal Agency
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House Bill 4545 (Substitute S-2 as reported)
Sponsor: Representative Dale W. Zorn
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- Prohibit a person from going to the scene of a motor vehicle accident or disabled vehicle and soliciting business for a towing service.
- Designate a violation as a civil infraction, prescribe a civil fine of \$1,000, and require payment of costs not to exceed \$100.
- Specify that the prohibition would not apply if a law enforcement agency requested the towing service to come to the scene, or if a towing service did not go to the scene for the purpose of soliciting business and offered assistance without creating a nuisance or interfering with police management of an accident.
- Require a vehicle owner or operator to be allowed to request a towing service of his or her choice, except under certain circumstances.
- Prohibit a local unit of government from requiring a towing service to pay a fee for responding to the scene of an accident, a disabled vehicle, or an abandoned vehicle as a term of a contract between the service and the local unit.

The bill also would authorize a law enforcement agency, without the consent of the vehicle owner or operator and with the assistance of a road agency, fire department, or other local public safety agency, or towing or recovery companies, to remove and dispose of vehicles involved in accidents, and their cargo or personal property, from the main traveled portion of a roadway and right-of-way if the vehicle, cargo, or property were blocking the roadway or right-of-way or could otherwise endanger public safety. The public agency or department would not be liable for any damages or claims that arose from the exercise or failure to exercise this authority. The owner or carrier of a vehicle, cargo, or property that was removed or disposed of would have to reimburse the public agency, departments, and towing companies for documented costs incurred in the removal or disposal.

The bill would take effect 90 days after its enactment.

MCL 257.618a et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State government. The fines associated with civil infractions are directed to local public libraries (except as provided for violations involving commercial vehicles). The costs a violator would have to be ordered to pay would be directed to the general fund of the plaintiff.

Date Completed: 9-22-14

Fiscal Analyst: John Maxwell

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Bill Analysis @ www.senate.michigan.gov/sfa

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