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## UNMANNED TRAFFIC MONITORING DEVICES

**House Bill 4693**

**Sponsor: Rep. Jack Minore**

**Committee: Transportation**

**Complete to 5-26-99**

### **A SUMMARY OF HOUSE BILL 4693 AS INTRODUCED 5-18-99**

House Bill 4693 would add a section to the Michigan Vehicle Code to allow the use of an "unmanned traffic monitoring device", which would be defined to mean a photographic, video, or electronic digital camera and vehicle sensors installed to work in conjunction with an official traffic control device to automatically produce photographs, video, or digital images of each vehicle violating a traffic control device, a speed restriction, or other limitation provided for in the act.

Under the bill, in their respective jurisdictions, the Department of State Police, the Department of Transportation, the county board of commissioners, the county road commission, or another local authority having jurisdiction over a highway or street could authorize the installation and use of unmanned traffic monitoring devices. If, on the basis of evidence obtained from such a device, a person violated a traffic control device, speed restriction, or other limitation, then he or she would be responsible for a civil infraction.

The bill specifies that a sworn statement of a police officer (or local authority) based upon inspection of photographs, videotape, or digital images produced by an unmanned traffic monitoring device would be prima facie evidence of the facts contained in the sworn statement. Further, any photographs, videotape, or digital images would be available for inspection in a proceeding to adjudicate the liability for a violation.

House Bill 4693 further states that in the prosecution of an offense, prima facie evidence that the vehicle described in the citation issued was operated in violation, together with proof that the defendant was at the time of the violation the registered owner of the vehicle, would constitute a rebuttable presumption that the registered owner was the person responsible. The presumption could be rebutted if a certified copy of a police stolen vehicle report were presented to the court before the return date established on the citation issued.

Finally, the bill would allow a citation for a violation to be executed by mailing by first-class mail a copy of the citation to the address of the owner or owners of the vehicle. If the person summoned failed to appear, the citation would be executed in the manner provided by law for

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personal service, and contempt proceedings or arrest of the person summoned would be instituted for failure to appear.

MCL 257.1 to 257.923

Analyst: J. Hunault

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.