



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 5801 (Substitute S-1 as reported)  
Sponsor: Representative Scott Shackleton  
House Committee: Judiciary  
Senate Committee: Judiciary

Date Completed: 7-9-04

### **RATIONALE**

Under Public Act 214 of 1952, which governs the Mackinac Bridge Authority, all individuals or vehicles using the Mackinac Bridge must pay tolls and charges established by the Authority. The tolls presently are \$2.50 for a passenger car, \$1.50 for commuters, and \$3 per axle for commercial vehicles. It is estimated that approximately 30 drivers each year cross the bridge without paying the required toll. When this happens, the bridge personnel notify the Michigan State Police, and a trooper may stop the vehicle. There is no penalty for failing to pay the toll, however, and the officer can merely demand the driver to make payment. In some cases, the officer might suspect that the driver is under the influence of alcohol or a controlled substance, or is in the possession of illegal drugs. While the driver may be arrested and prosecuted for that offense, the validity of the initial stop might be called into question because of the absence of a penalty for failure to pay the toll. To address this situation, it has been suggested that such a penalty should be enacted.

### **CONTENT**

The bill would amend Public Act 214 of 1952 to provide that, beginning September 1, 2004, a failure to pay the toll to cross the Mackinac Bridge would be a misdemeanor punishable by up to 30 days' imprisonment, a maximum fine of \$500, or both.

MCL 254.322

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate*

*Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

Failing to pay the Mackinac Bridge toll may seem like a minor infraction, in and of itself, and the loss of revenue is only about \$100 annually. There is a chance, however, that someone who evades the toll booth is driving under the influence or carrying illegal drugs or other contraband. By giving law enforcement officers clear authority to stop a driver who crossed the bridge without paying the toll, the bill would remove a barrier to the successful prosecution of a drunk driving or other offense. The penalty would be comparable to the one prescribed for failure to pay the toll at the Sault Ste. Marie International Bridge, which is up to 30 days' imprisonment and/or a maximum fine of \$100, under Public Act 99 of 1954.

**Response:** It has been suggested that there also should be a penalty for the resale of commuter tokens, which cost \$1.50 and are sold in rolls for \$36. Apparently, some people buy rolls of tokens and then sell the tokens for \$2 each. The seller makes 50 cents per token and the purchaser saves \$1 from the regular \$2.50 toll. According to a representative of the Mackinac Bridge Authority, this practice costs the Authority between \$10,000 and \$15,000 annually, but there is nothing in the law to prevent it.

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

The bill would have no fiscal impact on the State and an indeterminate fiscal impact on local government. Local government would

incur the cost of probation or incarceration in a local facility. Public libraries would receive any additional penal fine revenue.

Fiscal Analyst: Bethany Wicksall

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.