



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 783 (as introduced 9-18-07)
Sponsor: Senator Buzz Thomas
Committee: Energy Policy and Public Utilities

Date Completed: 8-12-08

CONTENT

The bill would amend the Michigan Vehicle Code to prohibit an individual from using an electronic device unrelated to the operation of a vehicle while driving, subject to various exceptions; and designate a violation a civil infraction enforceable as a secondary action.

Specifically, a person could not use a cellular telephone device, personal digital assistant, electronic gaming device, or other electronic device that was unrelated to the operation of a vehicle and had a keyboard or screen, to do any of the following while operating a motor vehicle that was in motion on a highway or street:

- Engage in nonverbal communication with another person.
- Play a game.
- Enter data.

The prohibition would not apply to an individual who was using a cellular telephone or other communication device to do any of the following:

- Report a traffic accident, medical emergency, or serious road hazard.
- Report a situation in which the person believed his or her personal safety was in jeopardy.
- Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person.
- Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or operator of an emergency vehicle.

Enforcement of the prohibition by State or local law enforcement agencies would have to be accomplished only as a secondary action when a driver had been detained for a suspected violation of another section of the Code.

An individual who violated the prohibition would be responsible for a civil infraction punishable by a fine of \$100.

The Secretary of State could not record any points on a person's driving record for a violation.

MCL 257.320a et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill could result in additional revenue to the State and local units of government. To the extent that there would be additional violations, the bill would result in additional fine revenue, courts costs, and Justice System Fund assessments. Fine revenue from civil infractions under the Michigan Vehicle Code is allocated to public libraries. Fines resulting from citations for violations of corresponding local ordinances are shared by the local unit of government and the court funding unit. Justice System Fund assessments support various programs in the judiciary, the Department of Corrections, and the Department of State Police.

Fiscal Analyst: Stephanie Yu

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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.