

# HOUSE BILL No. 6689

November 19, 2008, Introduced by Rep. Hopgood and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 618a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 618A. (1) UNLESS THE OPERATOR OF A MOTOR VEHICLE INVOLVED  
2 IN AN ACCIDENT KNOWS OR REASONABLY SHOULD KNOW THAT SERIOUS  
3 IMPAIRMENT OF A BODILY FUNCTION OR DEATH HAS RESULTED FROM THE  
4 ACCIDENT, THE OPERATOR OR ANY OTHER OCCUPANT OF THE MOTOR VEHICLE  
5 WHO POSSESSES A VALID DRIVER LICENSE SHALL REMOVE THE MOTOR VEHICLE  
6 FROM THE MAIN TRAVELED PORTION OF THE ROADWAY INTO A SAFE REFUGE ON  
7 THE SHOULDER, EMERGENCY LANE, OR MEDIAN OR TO A PLACE OTHERWISE  
8 REMOVED FROM THE ROADWAY IF BOTH OF THE FOLLOWING APPLY:  
9           (A) MOVING THE MOTOR VEHICLE CAN BE DONE SAFELY.

1           (B) THE MOTOR VEHICLE IS CAPABLE OF BEING NORMALLY AND SAFELY  
2 OPERATED AND CAN BE OPERATED UNDER ITS OWN POWER IN ITS CUSTOMARY  
3 MANNER WITHOUT FURTHER DAMAGE OR HAZARD TO THE TRAFFIC ELEMENTS OR  
4 TO THE ROADWAY.

5           (2) THE OPERATOR OR ANY OTHER PERSON WHO REMOVES A MOTOR  
6 VEHICLE FROM THE MAIN TRAVELED PORTION OF THE ROADWAY AS PROVIDED  
7 IN THIS SECTION BEFORE THE ARRIVAL OF A POLICE OFFICER IS NOT PRIMA  
8 FACIE AT FAULT REGARDING THE CAUSE OF THE TRAFFIC ACCIDENT SOLELY  
9 BY REASON OF MOVING THE MOTOR VEHICLE AS PROVIDED IN THIS SECTION.

10           (3) A PERSON WHO VIOLATES THIS SECTION IS RESPONSIBLE FOR A  
11 CIVIL INFRACTION.