



Senate Fiscal Agency  
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Lansing, Michigan 48909-7536

## BILL ANALYSIS



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Senate Bill 756 (Substitute S-3 as reported)  
Sponsor: Senator Howard C. Walker  
Committee: Energy and Technology

(as enacted)

**CONTENT**

The bill would add Section 602c to the Michigan Vehicle Code to prohibit a person issued a level 1 or 2 graduated driver license from using a cellular telephone while operating a motor vehicle, and designate a violation as a civil infraction.

The prohibition would not apply to an individual who was using a cell phone 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.

The prohibition also would not apply to a person using a voice-operated system integrated into the vehicle.

No points could be entered for a violation of Section 602c, and the Secretary of State could not enter a civil infraction determination for a violation on the master driving record.

Section 602c would supersede all local ordinances regulating the use of a cell phone by a level 1 or 2 driver while operating a motor vehicle in motion on a highway or street. A local unit, however, could adopt an ordinance or enforce an existing one substantially corresponding to Section 602c.

Section 602c would be named "Kelsey's Law".

(Under the Code, for a civil infraction, a person may be ordered to pay a civil fine of up to \$100, as well as the costs of the action up to \$100. Unless the total fine and costs imposed are \$10 or less, the person also may be ordered to pay a justice system assessment of \$40.)

MCL 257.320a et al.

Legislative Analyst: Julie Cassidy

**FISCAL IMPACT**

There are no data to indicate how many level 1 or 2 graduated drivers would be found in violation of this offense; however, additional fine revenue would benefit public libraries.

Date Completed: 2-29-12

Fiscal Analyst: Dan O'Connor