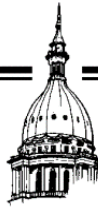




Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
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House Bill 4254 (Substitute S-1 as reported)  
Sponsor: Representative John Walsh  
House Committee: Transportation and Infrastructure  
Senate Committee: Transportation

**CONTENT**

The bill would amend the Michigan Vehicle Code to:

- Exclude electric carriages from the definition of "motor vehicle", and define "electric carriage".
- Include school buses within restrictions regarding sending and receiving text messages, and using a hand-held mobile phone, while operating a vehicle.
- Define "use a hand-held mobile telephone".

Electric Carriages. The Code defines "motor vehicle" as every vehicle that is self-propelled except for industrial equipment, construction equipment not subject to registration under the Code, electric patrol vehicles, and personal assistive mobility devices. The bill would add electric carriages to these exceptions.

"Electric carriage" would mean a horse-drawn carriage that has been retrofitted to be propelled by an electric motor instead of by a horse and that is used to provide taxi service.

Text Messages & Mobile Phones. The Code prescribes civil infraction fines for individuals who read, type, or send text messages while operating a motor vehicle or a commercial motor vehicle. Beginning October 28, 2013, the fines also will apply to a person who uses a hand-held mobile telephone to talk while operating a commercial motor vehicle. The bill would include school buses within the restrictions that apply to commercial vehicle operators.

The bill would define "use a hand-held mobile telephone" as one or more of the following: 1) using at least one hand to hold a mobile telephone to conduct voice communication, 2) dialing or answering a mobile phone by pressing more than a single button, and 3) reaching for a mobile phone in a way that requires a driver to maneuver out of a seated driving position, properly restrained by a seat belt.

MCL 257.33

Legislative Analyst: Glenn Steffens

**FISCAL IMPACT**

The bill would have no fiscal impact on the State. Depending on the number of civil infraction fines collected for text messaging, or using a mobile phone, while driving, \$100 for each first infraction and \$200 for each subsequent infraction would go to the local libraries of the jurisdictions in which the infractions occurred. The number of potential infractions is unknown.

Date Completed: 4-19-13

Fiscal Analyst: Joe Carrasco

[floor/sb4254](#)

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.

Bill Analysis @ [www.senate.michigan.gov/sfa](http://www.senate.michigan.gov/sfa)