

SENATE BILL No. 183

March 5, 2015, Introduced by Senators JONES and HANSEN and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 682 (MCL 257.682), as amended by 2012 PA 263.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 682. (1) The operator of a vehicle overtaking or meeting
2 a school bus that has stopped and is displaying 2 alternately
3 flashing red lights located at the same level shall bring the
4 vehicle to a full stop not less than 20 feet from the school bus
5 and shall not proceed until the school bus resumes motion or the
6 visual signals are no longer actuated. The operator of a vehicle
7 who fails to stop for a school bus as required by this subsection,
8 who passes a school bus in violation of this subsection, or who
9 fails to stop for a school bus in violation of an ordinance that is
10 substantially similar to this subsection, is responsible for a

1 civil infraction.

2 (2) The operator of a vehicle upon a highway that has been
3 divided into 2 roadways by leaving an intervening space, or by a
4 physical barrier, or clearly indicated dividing sections so
5 constructed as to impede vehicular traffic, is not required to stop
6 upon meeting a school bus that has stopped across the dividing
7 space, barrier, or section.

8 (3) In a proceeding for a violation of subsection (1), proof
9 that the particular vehicle described in the citation was in
10 violation of subsection (1), together with proof that the defendant
11 named in the citation was, at the time of the violation, the
12 registered owner of the vehicle, constitutes a rebuttable
13 presumption that the registered owner of the vehicle was the driver
14 of the vehicle at the time of the violation.

15 (4) ANY EVIDENCE OF A CIVIL INFRACTION ISSUED UNDER THIS
16 SECTION CAPTURED BY AN AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICE
17 IS ADMISSIBLE INTO EVIDENCE AS AN OFFICIAL RECORD OR A BUSINESS
18 RECORD WITHOUT THE NEED FOR ADDITIONAL FOUNDATION.

19 (5) ~~(4)~~—In addition to the civil fine and costs provided for a
20 civil infraction under section 907, the judge, district court
21 referee, or district court magistrate may order a person who
22 violates this section to perform not more than 100 hours of
23 community service at a school.

24 (6) A LOCAL UNIT OF GOVERNMENT MAY OPERATE AN AUTOMATED
25 TRAFFIC ENFORCEMENT SAFETY DEVICE PROGRAM AND MAY PROSECUTE
26 VIOLATIONS DETECTED BY AN AUTOMATED TRAFFIC ENFORCEMENT SAFETY
27 DEVICE UPON ENACTING AN ORDINANCE OR ADOPTING A RESOLUTION

1 AUTHORIZING THE INSTALLATION AND OPERATION OF AUTOMATED TRAFFIC
2 ENFORCEMENT SAFETY DEVICES AFTER CONSULTATION WITH THE GOVERNING
3 BOARD OF SCHOOLS WITHIN THAT LOCAL UNIT OF GOVERNMENT.

4 (7) AS USED IN THIS SECTION:

5 (A) "AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICE" MEANS A
6 DEVICE THAT SATISFIES ALL OF THE FOLLOWING REQUIREMENTS:

7 (i) IT IS AFFIXED TO A SCHOOL BUS.

8 (ii) IT IS CAPABLE OF DETECTING A MOTOR VEHICLE OVERTAKING OR
9 PASSING A SCHOOL BUS IN VIOLATION OF THIS SECTION.

10 (iii) IT IS CAPABLE OF PRODUCING A PHOTOGRAPHICALLY RECORDED
11 STILL OR VIDEO IMAGE OF THE REAR OF A MOTOR VEHICLE, OR THE REAR OF
12 A MOTOR VEHICLE BEING TOWED BY ANOTHER MOTOR VEHICLE, INCLUDING AN
13 IMAGE OF THE MOTOR VEHICLE'S REAR REGISTRATION PLATE.

14 (iv) IT INDICATES ON 1 OR MORE OF THE IMAGES PRODUCED THE DATE,
15 TIME, AND LOCATION OF THE VIOLATION.

16 (B) "LOCAL UNIT OF GOVERNMENT" MEANS A COUNTY, CITY, VILLAGE,
17 OR TOWNSHIP.

18 Enacting section 1. This amendatory act takes effect 90 days
19 after the date it is enacted into law.