

# HOUSE BILL NO. 4660

May 24, 2023, Introduced by Reps. Meerman, Wilson, Price, Byrnes, Hope, Hoskins, Hood, O'Neal, Pohutsky, Grant, Weiss, Tyrone Carter, Churches, Andrews, Morse, Rheingans, Scott, McKinney, Tsernoglou, Brabec, Edwards and Young and referred to the Committee on Criminal Justice.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 311 and 727 (MCL 257.311 and 257.727), section 311 as amended by 1983 PA 63 and section 727 as amended by 2008 PA 463; and to repeal acts and parts of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 311. ~~The~~ **A** licensee shall have ~~his or her~~ **the licensee's**  
2 operator's or chauffeur's license, ~~or the receipt described in~~  
3 ~~section 311a,~~ in ~~his or her~~ **the licensee's** immediate possession at

1 all times when operating a motor vehicle, and shall display ~~the~~  
 2 ~~same~~ **the licensee's operator's or chauffeur's license** upon demand  
 3 of any police officer, who ~~shall identify himself or herself~~  
 4 **provides identification as such a police officer.**

5 Sec. 727. If a person is arrested without a warrant in any of  
 6 the following cases, the arrested person ~~shall,~~ **must,** without  
 7 unreasonable delay, be arraigned by the magistrate who is nearest  
 8 or most accessible within the judicial district as provided in  
 9 section 13 of chapter IV of the code of criminal procedure, 1927 PA  
 10 175, MCL 764.13, or, if a minor, taken before the family division  
 11 of circuit court within the county in which the offense charged is  
 12 alleged to have been committed:

13 (a) The person is arrested under section 601d.

14 (b) The person is arrested under section 625(1), (3), (4),  
 15 (5), (6), (7), or (8), or an ordinance substantially corresponding  
 16 to section 625(1), (3), (6), or (8).

17 (c) A person is arrested under section 626 or an ordinance  
 18 substantially corresponding to that section. If under the existing  
 19 circumstances it does not appear that releasing the person pending  
 20 the issuance of a warrant will constitute a public menace, the  
 21 arresting officer may proceed as provided by section 728.

22 (d) A person arrested does not have in ~~his or her~~ **the person's**  
 23 immediate possession a valid operator's or chauffeur's license. ~~or~~  
 24 ~~the receipt described in section 311a.~~ If the arresting officer  
 25 otherwise satisfactorily determines the identity of the person and  
 26 the practicability of subsequent apprehension if the person fails  
 27 to voluntarily appear before a designated magistrate or the family  
 28 division of circuit court as directed, the officer may release the  
 29 person from custody with instructions to appear in court, given in

1 the form of a citation as prescribed by section 728.

2 Enacting section 1. Section 311a of the Michigan vehicle code,  
3 1949 PA 300, MCL 257.311a, is repealed.

4 Enacting section 2. This amendatory act takes effect January  
5 1, 2025.

6 Enacting section 3. This amendatory act does not take effect  
7 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4655 (request no.  
8 00502'23) of the 102nd Legislature is enacted into law.