

**SUBSTITUTE FOR  
HOUSE BILL NO. 4279**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 602c, 732, and 907 (MCL 257.602c, 257.732, and  
257.907), section 602c as added by 2012 PA 592, section 732 as  
amended by 2017 PA 160, and section 907 as amended by 2020 PA 382.

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

1           Sec. 602c. (1) Except as provided in this section, **and in**  
2 **addition to the requirements of section 602b**, an individual issued  
3 a level 1 or level 2 graduated license under section 310e shall not  
4 use a cellular telephone while operating a motor vehicle upon a  
5 highway or street. For purposes of this subsection, "use" means to  
6 initiate a call; answer a call; or listen to or engage in verbal  
7 communication through the cellular telephone.



1 (2) Subsection (1) does not apply to an individual who is  
2 using a cellular telephone to do any of the following:

3 (a) Report a traffic accident, medical emergency, or serious  
4 road hazard.

5 (b) Report a situation in which the person believes his or her  
6 personal safety is in jeopardy.

7 (c) Report or avert the perpetration or potential perpetration  
8 of a criminal act against the individual or another person.

9 ~~(3) Subsection (1) does not apply to an individual using a~~  
10 ~~voice-operated system that is integrated into the motor vehicle.~~

11 (3) ~~(4)~~—An individual who violates this section is responsible  
12 for a civil infraction.

13 (4) ~~(5)~~—This section supersedes all local ordinances  
14 regulating the use of a cellular telephone by an individual issued  
15 a level 1 or level 2 graduated license while operating a motor  
16 vehicle in motion on a highway or street, except that a unit of  
17 local government may adopt an ordinance or enforce an existing  
18 ordinance substantially corresponding to this section.

19 (5) ~~(6)~~—This section shall be known and may be cited as  
20 "Kelsey's Law".

21 Sec. 732. (1) Each municipal judge and each clerk of a court  
22 of record shall keep a full record of every case in which a person  
23 is charged with or cited for a violation of this act or a local  
24 ordinance substantially corresponding to this act regulating the  
25 operation of vehicles on highways and with those offenses  
26 pertaining to the operation of ORVs or snowmobiles for which points  
27 are assessed under section 320a(1)(c) or (i). Except as provided in  
28 subsection (16), the municipal judge or clerk of the court of  
29 record shall prepare and forward to the secretary of state an



1 abstract of the court record as follows:

2 (a) Not more than 5 days after a conviction, forfeiture of  
3 bail, or entry of a civil infraction determination or default  
4 judgment upon a charge of or citation for violating or attempting  
5 to violate this act or a local ordinance substantially  
6 corresponding to this act regulating the operation of vehicles on  
7 highways.

8 (b) Immediately for each case charging a violation of section  
9 625(1), (3), (4), (5), (6), (7), or (8) or section 625m or a local  
10 ordinance substantially corresponding to section 625(1), (3), (6),  
11 or (8) or section 625m in which the charge is dismissed or the  
12 defendant is acquitted.

13 (c) Immediately for each case charging a violation of section  
14 82127(1) or (3) or 81134 of the natural resources and environmental  
15 protection act, 1994 PA 451, MCL 324.82127 and 324.81134, or a  
16 local ordinance substantially corresponding to those sections.

17 (2) If a city or village department, bureau, or person is  
18 authorized to accept a payment of money as a settlement for a  
19 violation of a local ordinance substantially corresponding to this  
20 act, the city or village department, bureau, or person shall send a  
21 full report of each case in which a person pays any amount of money  
22 to the city or village department, bureau, or person to the  
23 secretary of state upon a form prescribed by the secretary of  
24 state.

25 (3) The abstract or report required under this section ~~shall~~  
26 **must** be made upon a form furnished by the secretary of state. An  
27 abstract ~~shall~~**must** be certified by signature, stamp, or facsimile  
28 signature of the person required to prepare the abstract as  
29 correct. An abstract or report ~~shall~~**must** include all of the



1 following:

2 (a) The name, address, and date of birth of the person charged  
3 or cited.

4 (b) The number of the person's operator's or chauffeur's  
5 license, if any.

6 (c) The date and nature of the violation.

7 (d) The type of vehicle driven at the time of the violation  
8 and, if the vehicle is a commercial motor vehicle, that vehicle's  
9 group designation.

10 (e) The date of the conviction, finding, forfeiture, judgment,  
11 or civil infraction determination.

12 (f) Whether bail was forfeited.

13 (g) Any license restriction, suspension, or denial ordered by  
14 the court as provided by law.

15 (h) The vehicle identification number and registration plate  
16 number of all vehicles that are ordered immobilized or forfeited.

17 (i) Other information considered necessary to the secretary of  
18 state.

19 (4) The clerk of the court also shall forward an abstract of  
20 the court record to the secretary of state upon a person's  
21 conviction or, for the purposes of subdivision (d), a finding or  
22 admission of responsibility, involving any of the following:

23 (a) A violation of section 413, 414, or 479a of the Michigan  
24 penal code, 1931 PA 328, MCL 750.413, 750.414, and 750.479a.

25 (b) A violation of section 1 of former 1931 PA 214.

26 (c) Negligent homicide, manslaughter, or murder resulting from  
27 the operation of a vehicle.

28 (d) A violation of sections 701(1) and 703 of the Michigan  
29 liquor control code of 1998, 1998 PA 58, MCL 436.1701 and 436.1703,



1 or a local ordinance substantially corresponding to those sections.

2 (e) A violation of section 411a(2) of the Michigan penal code,  
3 1931 PA 328, MCL 750.411a.

4 (f) A violation of motor carrier safety regulations 49 CFR  
5 392.10 or 392.11 as adopted by section 1a of the motor carrier  
6 safety act of 1963, 1963 PA 181, MCL 480.11a.

7 (g) A violation of section 57 of the pupil transportation act,  
8 1990 PA 187, MCL 257.1857.

9 (h) An attempt to violate, a conspiracy to violate, or a  
10 violation of part 74 of the public health code, 1978 PA 368, MCL  
11 333.7401 to 333.7461, or a local ordinance that prohibits conduct  
12 prohibited under part 74 of the public health code, 1978 PA 368,  
13 MCL 333.7401 to 333.7461, unless the convicted person is sentenced  
14 to life imprisonment or a minimum term of imprisonment that exceeds  
15 1 year for the offense.

16 (i) An attempt to commit an offense described in subdivisions  
17 (a) to (g).

18 (j) A violation of chapter LXXXIII-A of the Michigan penal  
19 code, 1931 PA 328, MCL 750.543a to 750.543z.

20 (k) A violation of section 3101, 3102(1), or 3103 of the  
21 insurance code of 1956, 1956 PA 218, MCL 500.3101, 500.3102, and  
22 500.3103.

23 (l) A violation listed as a disqualifying offense under 49 CFR  
24 383.51.

25 (5) The clerk of the court shall also forward an abstract of  
26 the court record to the secretary of state if a person has pled  
27 guilty to, or offered a plea of admission in a juvenile proceeding  
28 for, a violation of section 703 of the Michigan liquor control code  
29 of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance



1 substantially corresponding to that section, and has had further  
2 proceedings deferred under that section. If the person is sentenced  
3 to a term of probation and terms and conditions of probation are  
4 fulfilled and the court discharges the individual and dismisses the  
5 proceedings, the court shall also report the dismissal to the  
6 secretary of state.

7 (6) As used in subsections (7) to (9), "felony in which a  
8 motor vehicle was used" means a felony during the commission of  
9 which the person operated a motor vehicle and while operating the  
10 vehicle presented real or potential harm to persons or property and  
11 1 or more of the following circumstances existed:

- 12 (a) The vehicle was used as an instrument of the felony.  
13 (b) The vehicle was used to transport a victim of the felony.  
14 (c) The vehicle was used to flee the scene of the felony.  
15 (d) The vehicle was necessary for the commission of the  
16 felony.

17 (7) If a person is charged with a felony in which a motor  
18 vehicle was used, other than a felony specified in subsection (4)  
19 or section 319, the prosecuting attorney shall include the  
20 following statement on the complaint and information filed in  
21 district or circuit court:

22 "You are charged with the commission of a felony in which a  
23 motor vehicle was used. If you are convicted and the judge finds  
24 that the conviction is for a felony in which a motor vehicle was  
25 used, as defined in section 319 of the Michigan vehicle code, 1949  
26 PA 300, MCL 257.319, your driver's license shall be suspended by  
27 the secretary of state."

28 (8) If a juvenile is accused of an act, the nature of which  
29 constitutes a felony in which a motor vehicle was used, other than



1 a felony specified in subsection (4) or section 319, the  
2 prosecuting attorney or family division of circuit court shall  
3 include the following statement on the petition filed in the court:

4 "You are accused of an act the nature of which constitutes a  
5 felony in which a motor vehicle was used. If the accusation is  
6 found to be true and the judge or referee finds that the nature of  
7 the act constitutes a felony in which a motor vehicle was used, as  
8 defined in section 319 of the Michigan vehicle code, 1949 PA 300,  
9 MCL 257.319, your driver's license shall be suspended by the  
10 secretary of state."

11 (9) If the court determines as part of the sentence or  
12 disposition that the felony for which the person was convicted or  
13 adjudicated and with respect to which notice was given under  
14 subsection (7) or (8) is a felony in which a motor vehicle was  
15 used, the clerk of the court shall forward an abstract of the court  
16 record of that conviction to the secretary of state.

17 (10) As used in subsections (11) and (12), "felony in which a  
18 commercial motor vehicle was used" means a felony during the  
19 commission of which the person operated a commercial motor vehicle  
20 and while the person was operating the vehicle 1 or more of the  
21 following circumstances existed:

- 22 (a) The vehicle was used as an instrument of the felony.  
23 (b) The vehicle was used to transport a victim of the felony.  
24 (c) The vehicle was used to flee the scene of the felony.  
25 (d) The vehicle was necessary for the commission of the  
26 felony.

27 (11) If a person is charged with a felony in which a  
28 commercial motor vehicle was used and for which a vehicle group  
29 designation on a license is subject to suspension or revocation



1 under section 319b(1) (c) *(iii)*, 319b(1) (d), 319b(1) (e) *(iii)*, or  
2 319b(1) (f) *(i)*, the prosecuting attorney shall include the following  
3 statement on the complaint and information filed in district or  
4 circuit court:

5 "You are charged with the commission of a felony in which a  
6 commercial motor vehicle was used. If you are convicted and the  
7 judge finds that the conviction is for a felony in which a  
8 commercial motor vehicle was used, as defined in section 319b of  
9 the Michigan vehicle code, 1949 PA 300, MCL 257.319b, all vehicle  
10 group designations on your driver's license shall be suspended or  
11 revoked by the secretary of state."

12 (12) If the judge determines as part of the sentence that the  
13 felony for which the defendant was convicted and with respect to  
14 which notice was given under subsection (11) is a felony in which a  
15 commercial motor vehicle was used, the clerk of the court shall  
16 forward an abstract of the court record of that conviction to the  
17 secretary of state.

18 (13) Every person required to forward abstracts to the  
19 secretary of state under this section shall certify for the period  
20 from January 1 through June 30 and for the period from July 1  
21 through December 31 that all abstracts required to be forwarded  
22 during the period have been forwarded. The certification ~~shall~~**must**  
23 be filed with the secretary of state not later than 28 days after  
24 the end of the period covered by the certification. The  
25 certification ~~shall~~**must** be made upon a form furnished by the  
26 secretary of state and ~~shall~~**must** include all of the following:

27 (a) The name and title of the person required to forward  
28 abstracts.

29 (b) The court for which the certification is filed.



1 (c) The time period covered by the certification.

2 (d) The following statement:

3 "I certify that all abstracts required by section 732 of the  
4 Michigan vehicle code, **1949 PA 300**, MCL 257.732, ~~MSA 9.2432~~, for  
5 the period \_\_\_\_\_ through \_\_\_\_\_ have been  
6 forwarded to the secretary of state."

7 (e) Other information the secretary of state considers  
8 necessary.

9 (f) The signature of the person required to forward abstracts.

10 (14) The failure, refusal, or neglect of a person to comply  
11 with this section constitutes misconduct in office and is grounds  
12 for removal from office.

13 (15) Except as provided in subsection (16), the secretary of  
14 state shall keep all abstracts received under this section at the  
15 secretary of state's main office and the abstracts ~~shall~~**must** be  
16 open for public inspection during the office's usual business  
17 hours. Each abstract ~~shall~~**must** be entered upon the master driving  
18 record of the person to whom it pertains.

19 (16) Except for controlled substance offenses described in  
20 subsection (4), the court shall not submit, and the secretary of  
21 state shall discard and not enter on the master driving record, an  
22 abstract for a conviction or civil infraction determination for any  
23 of the following violations:

24 (a) The parking or standing of a vehicle.

25 (b) A nonmoving violation that is not the basis for the  
26 secretary of state's suspension, revocation, or denial of an  
27 operator's or chauffeur's license.

28 (c) A violation of chapter II that is not the basis for the  
29 secretary of state's suspension, revocation, or denial of an



1 operator's or chauffeur's license.

2 (d) A pedestrian, passenger, or bicycle violation, other than  
 3 a violation of section 703(1) or (2) of the Michigan liquor control  
 4 code of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance  
 5 substantially corresponding to section 703(1) or (2) of the  
 6 Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or  
 7 section 624a or 624b or a local ordinance substantially  
 8 corresponding to section 624a or 624b.

9 (e) A violation of section 710e or a local ordinance  
 10 substantially corresponding to section 710e.

11 (f) A violation of section 328(1) if, before the appearance  
 12 date on the citation, the person submits proof to the court that  
 13 the motor vehicle had insurance meeting the requirements of  
 14 sections 3101 and 3102 of the insurance code of 1956, 1956 PA 218,  
 15 MCL 500.3101 and 500.3102, at the time the citation was issued.  
 16 Insurance obtained subsequent to the time of the violation does not  
 17 make the violation an exception under this subsection.

18 (g) A violation described in section 319b(10) (b) (vii) if,  
 19 before the court appearance date or date fines are to be paid, the  
 20 person submits proof to the court that he or she held a valid  
 21 commercial driver license on the date the citation was issued.

22 (h) A violation of section 311 if the person was driving a  
 23 noncommercial vehicle and, before the court appearance date or the  
 24 date fines are to be paid, the person submits proof to the court  
 25 that he or she held a valid driver license on the date the citation  
 26 was issued.

27 ~~(i) A violation of section 602b(1) or 602c.~~

28 (17) Except as otherwise provided in this subsection, the  
 29 secretary of state shall discard and not enter on the master



1 driving record an abstract for a bond forfeiture that occurred  
2 outside this state. The secretary of state shall enter on the  
3 master driving record an abstract for a conviction as defined in  
4 section 8a(b) that occurred outside this state in connection with  
5 the operation of a commercial motor vehicle or for a conviction of  
6 a person licensed as a commercial motor vehicle driver.

7 (18) The secretary of state shall inform the courts of this  
8 state of the nonmoving violations and violations of chapter II that  
9 are used by the secretary of state as the basis for the suspension,  
10 restriction, revocation, or denial of an operator's or chauffeur's  
11 license.

12 (19) If a conviction or civil infraction determination is  
13 reversed upon appeal, the person whose conviction or determination  
14 has been reversed may serve on the secretary of state a certified  
15 copy of the order of reversal. The secretary of state shall enter  
16 the order in the proper book or index in connection with the record  
17 of the conviction or civil infraction determination.

18 (20) The secretary of state may permit a city or village  
19 department, bureau, person, or court to modify the requirement as  
20 to the time and manner of reporting a conviction, civil infraction  
21 determination, or settlement to the secretary of state if the  
22 modification will increase the economy and efficiency of collecting  
23 and utilizing the records. If the permitted abstract of court  
24 record reporting a conviction, civil infraction determination, or  
25 settlement originates as a part of the written notice to appear,  
26 authorized in section 728(1) or 742(1), the form of the written  
27 notice and report ~~shall~~**must** be as prescribed by the secretary of  
28 state.

29 (21) Notwithstanding any other law of this state, a court



1 shall not take under advisement an offense committed by a person  
 2 while operating a motor vehicle for which this act requires a  
 3 conviction or civil infraction determination to be reported to the  
 4 secretary of state. A conviction or civil infraction determination  
 5 that is the subject of this subsection ~~shall~~**must** not be masked,  
 6 delayed, diverted, suspended, or suppressed by a court. Upon a  
 7 conviction or civil infraction determination, the conviction or  
 8 civil infraction determination ~~shall~~**must** immediately be reported  
 9 to the secretary of state in accordance with this section.

10 (22) Except as provided in this act and notwithstanding any  
 11 other provision of law, a court shall not order expunction of any  
 12 violation reportable to the secretary of state under this section.

13 Sec. 907. (1) A violation of this act, or a local ordinance  
 14 that substantially corresponds to a provision of this act, that is  
 15 designated a civil infraction must not be considered a lesser  
 16 included offense of a criminal offense.

17 (2) Permission may be granted for payment of a civil fine and  
 18 costs to be made within a specified period of time or in specified  
 19 installments but, unless permission is included in the order or  
 20 judgment, the civil fine and costs must be payable immediately.  
 21 Except as otherwise provided, a person found responsible or  
 22 responsible "with explanation" for a civil infraction must pay  
 23 costs as provided in subsection (4) and 1 or more of the following  
 24 civil fines, as applicable:

25 (a) Except as otherwise provided, for a civil infraction under  
 26 this act or a local ordinance that substantially corresponds to a  
 27 provision of this act, the person shall be ordered to pay a civil  
 28 fine of not more than \$100.00.

29 (b) If the civil infraction was a moving violation that



1 resulted in an at-fault collision with another vehicle, a person,  
2 or any other object, the civil fine ordered under this section is  
3 increased by \$25.00 but the total civil fine must not be more than  
4 \$100.00.

5 (c) For a violation of section 240, the civil fine ordered  
6 under this subsection is \$15.00.

7 (d) For a violation of section 312a(4)(a), the civil fine  
8 ordered under this section must not be more than \$250.00.

9 (e) For a first violation of section 319f(1), the civil fine  
10 ordered under this section must not be less than \$2,500.00 or more  
11 than \$2,750.00; for a second or subsequent violation, the civil  
12 fine must not be less than \$5,000.00 or more than \$5,500.00.

13 (f) For a violation of section 319g(1)(a), the civil fine  
14 ordered under this section must not be more than \$10,000.00.

15 (g) For a violation of section 319g(1)(g), the civil fine  
16 ordered under this section must not be less than \$2,750.00 or more  
17 than \$25,000.00.

18 (h) For a violation of section 602b, the civil fine ordered  
19 under this section must not be more than \$100.00 for a first  
20 offense and ~~\$200.00~~ **\$250.00** for a second or subsequent offense.

21 (i) For a violation of section 674(1)(s) or a local ordinance  
22 that substantially corresponds to section 674(1)(s), the civil fine  
23 ordered under this section must not be less than \$100.00 or more  
24 than \$250.00.

25 (j) For a violation of section 676a(3), the civil fine ordered  
26 under this section must not be more than \$10.00.

27 (k) For a violation of section 676c, the civil fine ordered  
28 under this section is \$1,000.00.

29 (l) For a violation of section 682 or a local ordinance that



1 substantially corresponds to section 682, the civil fine ordered  
2 under this section must not be less than \$100.00 or more than  
3 \$500.00.

4 (m) For a violation of section 710d, the civil fine ordered  
5 under this section must not be more than \$10.00, subject to  
6 subsection (11).

7 (n) For a violation of section 710e, the civil fine and court  
8 costs ordered under this subsection must be \$25.00.

9 (3) Except as provided in this section, if a person is  
10 determined to be responsible or responsible "with explanation" for  
11 a civil infraction under this act or a local ordinance that  
12 substantially corresponds to a provision of this act while driving  
13 a commercial motor vehicle, he or she must be ordered to pay costs  
14 as provided in subsection (4) and a civil fine of not more than  
15 \$250.00.

16 (4) If a civil fine is ordered under subsection (2) or (3),  
17 the judge or district court magistrate shall summarily tax and  
18 determine the costs of the action, which are not limited to the  
19 costs taxable in ordinary civil actions, and may include all  
20 expenses, direct and indirect, to which the plaintiff has been put  
21 in connection with the civil infraction, up to the entry of  
22 judgment. Costs must not be ordered in excess of \$100.00. A civil  
23 fine ordered under subsection (2) or (3) must not be waived unless  
24 costs ordered under this subsection are waived. Except as otherwise  
25 provided by law, costs are payable to the general fund of the  
26 plaintiff.

27 (5) In addition to a civil fine and costs ordered under  
28 subsection (2) or (3) and subsection (4) and the justice system  
29 assessment ordered under subsection (12), the judge or district



1 court magistrate may order the person to attend and complete a  
2 program of treatment, education, or rehabilitation.

3 (6) A district court magistrate shall impose the sanctions  
4 permitted under subsections (2), (3), and (5) only to the extent  
5 expressly authorized by the chief judge or only judge of the  
6 district court district.

7 (7) Each district of the district court and each municipal  
8 court may establish a schedule of civil fines, costs, and  
9 assessments to be imposed for civil infractions that occur within  
10 the respective district or city. If a schedule is established, it  
11 must be prominently posted and readily available for public  
12 inspection. A schedule need not include all violations that are  
13 designated by law or ordinance as civil infractions. A schedule may  
14 exclude cases on the basis of a defendant's prior record of civil  
15 infractions or traffic offenses, or a combination of civil  
16 infractions and traffic offenses.

17 (8) The state court administrator shall annually publish and  
18 distribute to each district and court a recommended range of civil  
19 fines and costs for first-time civil infractions. This  
20 recommendation is not binding on the courts having jurisdiction  
21 over civil infractions but is intended to act as a normative guide  
22 for judges and district court magistrates and a basis for public  
23 evaluation of disparities in the imposition of civil fines and  
24 costs throughout this state.

25 (9) If a person has received a civil infraction citation for  
26 defective safety equipment on a vehicle under section 683, the  
27 court shall waive a civil fine, costs, and assessments on receipt  
28 of certification by a law enforcement agency that repair of the  
29 defective equipment was made before the appearance date on the



1 citation.

2 (10) A default in the payment of a civil fine or costs ordered  
3 under subsection (2), (3), or (4) or a justice system assessment  
4 ordered under subsection (12), or an installment of the fine,  
5 costs, or assessment, may be collected by a means authorized for  
6 the enforcement of a judgment under chapter 40 of the revised  
7 judicature act of 1961, 1961 PA 236, MCL 600.4001 to 600.4065, or  
8 under chapter 60 of the revised judicature act of 1961, 1961 PA  
9 236, MCL 600.6001 to 600.6098.

10 (11) The court may waive any civil fine, cost, or assessment  
11 against a person who received a civil infraction citation for a  
12 violation of section 710d if the person, before the appearance date  
13 on the citation, supplies the court with evidence of acquisition,  
14 purchase, or rental of a child seating system meeting the  
15 requirements of section 710d.

16 (12) In addition to any civil fines or costs ordered to be  
17 paid under this section, the judge or district court magistrate  
18 shall order the defendant to pay a justice system assessment of  
19 \$40.00 for each civil infraction determination, except for a  
20 parking violation or a violation for which the total fine and costs  
21 imposed are \$10.00 or less. On payment of the assessment, the clerk  
22 of the court shall transmit the assessment collected to the state  
23 treasury to be deposited into the justice system fund created in  
24 section 181 of the revised judicature act of 1961, 1961 PA 236, MCL  
25 600.181. An assessment levied under this subsection is not a civil  
26 fine for purposes of section 909.

27 (13) If a person has received a citation for a violation of  
28 section 223, the court shall waive any civil fine, costs, and  
29 assessment, on receipt of certification by a law enforcement agency



1 that the person, before the appearance date on the citation,  
2 produced a valid registration certificate that was valid on the  
3 date the violation of section 223 occurred.

4 (14) If a person has received a citation for a violation of  
5 section 328(1) for failing to produce a certificate of insurance  
6 under section 328(2), the court may waive the fee described in  
7 section 328(3)(c) and shall waive any fine, costs, and any other  
8 fee or assessment otherwise authorized under this act on receipt of  
9 verification by the court that the person, before the appearance  
10 date on the citation, produced valid proof of insurance that was in  
11 effect at the time the violation of section 328(1) occurred.  
12 Insurance obtained subsequent to the time of the violation does not  
13 make the person eligible for a waiver under this subsection.

14 (15) If a person is determined to be responsible or  
15 responsible "with explanation" for a civil infraction under this  
16 act or a local ordinance that substantially corresponds to a  
17 provision of this act and the civil infraction arises out of the  
18 ownership or operation of a commercial quadricycle, he or she must  
19 be ordered to pay costs as provided in subsection (4) and a civil  
20 fine of not more than \$500.00.

21 (16) As used in this section, "moving violation" means an act  
22 or omission prohibited under this act or a local ordinance that  
23 substantially corresponds to this act that involves the operation  
24 of a motor vehicle and for which a fine may be assessed.

25 Enacting section 1. This amendatory act takes effect 180 days  
26 after the date it is enacted into law.

27 Enacting section 2. This amendatory act does not take effect  
28 unless all of the following bills of the 101st Legislature are  
29 enacted into law:



- 1 (a) House Bill No. 4277.
- 2 (b) House Bill No. 4278.

