



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



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 4806 (Substitute H-1 as passed by the House)  
Sponsor: Representative John Stakoe  
House Committee: Local Government and Urban Policy  
Senate Committee: Judiciary

Date Completed: 12-4-06

## **CONTENT**

**The bill would amend the Michigan Vehicle Code to do both of the following:**

- Allow a municipality to contract with the owner or person in charge of a private road open to public use for the enforcement of the Vehicle Code on the private road.**
- Require the Secretary of State to spend money appropriated to it from money credited to the Transportation Administration Collection Fund under sections of law providing for a commercial look-up service.**

### Traffic Enforcement on Private Roads

The bill would allow a city, township, or village to contract with a person who owned or was in charge of a private road that was open to the general public, at that person's request or with his or her consent, to enforce provisions of the Vehicle Code on the private road. The owner or person in charge would be responsible for the cost and the posting of signs.

Subject to this authorization, and Section 906 of the Code, a peace officer could enter upon a private road that was open to the general public to enforce the Code if signs meeting the requirements of the Michigan Manual of Uniform Traffic Control Devices were posted on the private road. (Section 906 provides that, notwithstanding any other provision of law, a police officer may enter upon a private road to enforce violations of the Code.)

These provisions could not be construed to affect a contract entered into between a city, township, or village and the person who owned or was in charge of a private road open to the general public before the bill's effective date.

### Transportation Administration Collection Fund

The Vehicle Code creates the Transportation Administration Collection Fund within the State Treasury and allows the State Treasurer to receive money from the collections authorized under the Code for deposit into the Fund. Upon appropriation, the Department of State must spend money from the Fund that is credited to it from the revenue collected under Sections 801 to 810 of the Code only to pay the necessary collection expenses incurred by the Department in administering and enforcing those sections. (Sections 801 to 810 deal with the issuance of vehicle registrations, titles, plates, and disability tabs and driver licenses.)

Under the bill, the Department of State also would have to spend money, as appropriated from the Fund, that was credited to the Fund on or after October 1, 2005, under each of the following sections of law, to pay either the necessary collection of expenses incurred by the Department in administering and enforcing Sections 801 to 810 or other necessary expenses:

- Sections 208b and 232 of the Vehicle Code.
- Section 7 of Public Act 222 of 1972, which provides for an official State personal identification card.
- Sections 80130, 80315, 81114, and 82156 of the Natural Resources and Environmental Protection Act.

(Those sections allow the Secretary of State (SOS) to provide a commercial look-up service of records the SOS maintains, and require the SOS to charge a fee specified annually by the Legislature or, if the Legislature does not specify a fee, a market-based price established by the SOS.)

MCL 257.810b et al.

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker  
Joe Carrasco

S0506\4806sa

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.