



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 4132 (Substitute S-2 as reported by the Committee of the Whole)

House Bill 4133 (as reported by the Committee of the Whole)

Sponsor: Representative Will Snyder (H.B. 4132)

Representative Mike Mueller (H.B. 4133)

House Committee: Transportation, Mobility, and Infrastructure

Senate Committee: Transportation and Infrastructure

**CONTENT**

House Bill 4132 (S-2) would amend the Michigan Vehicle Code to do the following:

- Allow the Michigan Department of Transportation (MDOT) to authorize the installation of, or install and use, an automated speed enforcement system in a work zone.
- Establish the conditions under which a work zone could be given priority over other work zones for the installation of an automated speed enforcement system, such as if the work zone were located on a freeway.
- Require an automated speed enforcement system to digitally display the speed of an approaching vehicle.
- Require a sign to be placed one mile before the start of a work zone in which an automated speed enforcement system was installed and used.
- Prohibit an MDOT region office from installing and using more than four automated speed enforcement systems in the area under its jurisdiction simultaneously.
- Prescribe penalties, including written warnings and civil fines, for exceeding the posted speed limit in a work zone by 10 miles per hour, as evidenced by an automated speed enforcement system.
- Allow a sworn statement by an automated speed enforcement system operator, based on a recorded image produced by an automated speed enforcement system to be used as evidence in a proceeding for a violation.
- Prescribe privacy and confidentiality requirements for data collected by an automated speed enforcement system.
- Create an automated speed enforcement system unit within MDOT.
- Create the Work Zone Safety Fund in the State Treasury.
- Require civil fines collected under the bill to be used to cover the cost of installing and using automated speed enforcement systems and require any excess revenue to be paid into the Fund.

House Bill 4133 would amend the Revised Judicature Act to require a civil fine issued under House Bill 4132 (S-2) to be paid to MDOT and distributed as prescribed by House Bill 4132 (S-2).

MCL 257.907 et al. (H.B. 4132)

600.8379 (H.B. 4133)

**BRIEF RATIONALE**

In 2022, there were 7,436 work zone crashes in Michigan, resulting in 23 fatalities and 1,928 injuries.<sup>1</sup> According to testimony before the Senate Committee on Transportation and

<sup>1</sup> "Work Zone Safety Fast Facts", [www.michigan.gov](http://www.michigan.gov). Retrieved 3-19-2024.

Infrastructure, speeding often contributes to work zone crashes. Accordingly, to increase work zone safety, it has been suggested that the State embrace measures designed to reduce speeding, such as automated speed enforcement systems.

Legislative Analyst: Abby Schneider

## **FISCAL IMPACT**

### MDOT

According to MDOT, there would be a small cost associated with this program. Illinois Department of Transportation allocates \$500,000 per fiscal year and that covers the costs. The Michigan program would slightly differ and allow MDOT to determine how much to enforce which would give them the flexibility to adjust enforcement to fit the budget. The bill also would allow MDOT to recoup the costs of the program from the fees issued.

### Treasury

The bills would have no fiscal impact on the Department of Treasury. Based on the level of estimated revenue within the Fund, the ongoing costs associated with administering and investing the Fund would be less than \$100 and are within current appropriations.

### Local

The bills state that the registered owner of the vehicle may dispute this fine through a written affidavit or through court testimony that the owner was not the driver when the fine was issued. In the extreme, everyone who received this fine could write an affidavit claiming to not have been the driver during the speeding incident, thus reducing fine revenue to zero unless the police were able to gain evidence that the registered owner was in fact the driver at the time of the speeding incident, which would cause additional costs to local police departments.

Any revenue collected by MDOT from these fines on top of the cost of implementation would go to the new Fund. Fines from traditional speeding tickets in work zones would be replaced by fines from the automated devices, directing any revenue from the traditional speeding ticket to MDOT instead. Fine revenues for speeding tickets issued for a violation of State speeding limits traditionally go to local government treasurers for distribution to local public libraries and county law libraries. In FY 2021-22, over \$20.0 million in fine revenue was collected and distributed to county treasurers for subsequent distribution to libraries. It is not clear how much of such revenue could be diverted to the new Fund under the bill.

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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.