

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.602c Individual issued level 1 or 2 graduated license; use of cellular telephone prohibited; exceptions; violation as civil infraction; local ordinance; report; "Kelsey's Law."

Sec. 602c.

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

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

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

(b) Report a situation in which the individual believes the individual's personal safety is in jeopardy.

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

(3) An individual who violates this section is responsible for a civil infraction.

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

(5) Forty-two months after the effective date of the amendatory act that added this subsection, the department of state police shall submit a report, using available data, to the senate majority leader, speaker of the house of representatives, and governor that includes all of the following information related to violations of this section and section 602b:

(a) The number of citations given.

(b) The race and ethnicity of the individuals given citations.

(c) The number of each of the following caused by violations of this section or section 602b:

(i) Vehicle crashes.

(ii) Serious injuries.

(iii) Deaths.

(6) This section may be known as "Kelsey's law".

History: Add. 2012, Act 592, Eff. Mar. 28, 2013 ;-- Am. 2023, Act 40, Eff. June 30, 2023