



HOUSE OF REPRESENTATIVES

COMMITTEE ON TRANSPORTATION

REP. JACK O'MALLEY

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, May 1, 2019

3:59 PM

Room 327, House Office Building

The House Standing Committee on Transportation was called to order by the Chair O'Malley.

The Chair requested attendance be called:

Present: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma, Shannon.

Absent/Excused: None.

Representative Alexander moved to adopt the meeting minutes from April 30, 2019. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4181, HB 4198 and HB 4199 before the committee:

HB 4181

(Rep. Manoogian) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a, 602b, 602c, and 732 (MCL 257.320a, 257.602b, 257.602c, and 257.732), section 320a as amended by 2018 PA 349, section 602b as amended by 2016 PA 332, section 602c as added by 2012 PA 592, and section 732 as amended by 2017 PA 160.

HB 4198

(Rep. Cole) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 602b and 602c (MCL 257.602b and 257.602c), section 602b as amended by 2016 PA 332 and section 602c as added by 2012 PA 592.

HB 4199

(Rep. Sheppard) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 602b and 907 (MCL 257.602b and 257.907), section 602b as amended by 2016 PA 332 and section 907 as amended by 2015 PA 126.

Substitute (H-1) for HB 4181 was previously adopted on April 30th, 2019.

Substitute (H-3) for HB 4198 was April 30th, 2019.

Representative Sheppard moved to refer House Bill No. 4181 to the committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, J Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma, Shannon.

Nays: None.

Pass: None.

Representative Yancey offered the following amendment to HB 4198, as substitute (H-3):

1. Amend page 4, following line 24, by inserting:

"(10) IF A LAW ENFORCEMENT OFFICER ISSUES A CITATION FOR A VIOLATION OF THIS SECTION, THE LAW ENFORCEMENT OFFICER MUST RECORD THE RACE AND ETHNICITY OF THE PERSON WHO WAS ISSUED THE CITATION. ALL LAW ENFORCEMENT AGENCIES MUST MAINTAIN THE INFORMATION RECORDED UNDER THIS SUBSECTION AND REPORT THE INFORMATION TO THE DEPARTMENT OF STATE POLICE ON A FORM AND IN THE MANNER DETERMINED BY THE DEPARTMENT OF STATE POLICE. THE DEPARTMENT OF STATE POLICE SHALL BIANNUALLY REPORT ON THE DATA COLLECTED UNDER THIS SUBSECTION TO THE GOVERNOR, THE MAJORITY LEADER OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE DEPARTMENT OF STATE POLICE MAY ISSUE REPORTS TO OTHER DEPARTMENTS OF THIS STATE REGARDING THE DATA COLLECTED UNDER THIS SUBSECTION." and renumbering the remaining subsection.

Representative Yancey explained the amendment.

Representative Sneller moved to adopt the amendment to HB 4198. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Sneller, Clemente, Yancey, Haadsma, Shannon.

Nays: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis.

Pass: None.

Representative Cole explained the proposed amendments to HB 4198, as substitute (H-3).

Edward Hude, representing the American Radio Relay League, testified in support of HB 4181, HB 4198 and HB 4199.

At 4:06 PM, the Chair laid the committee at ease.

At 4:07 PM, the Chair called the committee back to order.

Representative Cole offered the following amendments to HB 4198, as substitute (H-3):

1. Amend page 1, line 2, after "not" by striking out "read or".
2. Amend page 2, line 15, after "not" by striking out "read or".
3. Amend page 4, line 27, after "**TO**" by striking out "**TEXTING,**" and inserting "**WRITING, SENDING, OR READING A TEXT-BASED COMMUNICATION,**".
4. Amend page 4, line 27, after "**GAMING,**" by striking out "**USING ELECTRONIC MAIL,**" and inserting "**VIEWING OR**".
5. Amend page 5, line 1, after "**VIEWING,**" by inserting "**CAPTURING,**".
6. Amend page 5, line 2, after "**VIDEO**" by inserting "**OR PHOTO**".

Representative Cole moved to adopt the amendment to HB 4198. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma, Shannon.

Nays: None.

Pass: None.

Representative Cole offered the following amendment to HB 4198, as substitute (H-3):

1. Amend page 4, following line 24, by inserting:
"**(10) THIS SECTION DOES NOT APPLY TO THE USE OF RADIO EQUIPMENT THAT IS ALLOWED UNDER 47 CFR 90 OR 47 CFR 97.**" and renumbering the remaining subsection.

Representative Cole moved to adopt the amendment to HB 4198. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, J Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma, Shannon.

Nays: None.

Pass: None.

Representative Cole offered the following amendment to HB 4198, as substitute (H-3):

1. Amend page 2, following line 13, by inserting:

"(D) OPERATE OR PROGRAM THE OPERATION OF AN AUTOMATED MOTOR VEHICLE WHILE TESTING OR OPERATING THE AUTOMATED MOTOR VEHICLE WITHOUT A HUMAN OPERATOR."

Representative Cole moved to adopt the amendment to HB 4198. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, J Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma, Shannon.

Nays: None.

Pass: None.

Representative Bellino moved to refer House Bill No. 4198 to the committee on Ways and Means, as amended, as substitute (H-5). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, J Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma, Shannon.

Nays: None.

Pass: None.

Representative Sheppard moved to refer House Bill No. 4199 to the committee on Ways and Means. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. O'Malley, Eisen, Cole, Sheppard, J Alexander, Bellino, Howell, Afendoulis, Sneller, Clemente, Yancey, Haadsma, Shannon.

Nays: None.

Pass: None.

The following people submitted a card in support of HB 4181, HB 4198 and HB 4199, but did not wish to speak:

Tiffany Hauser, representing the representing the American Automobile Association of Michigan.

There being no further business before the committee, Rep. Jack O'Malley adjourned the meeting at 4:11 PM.

Representative Jack O'Malley, Chair

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Committee Clerk
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