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Motor Vehicle, Fishing, Racing Matters Modified by State Legislature

EDITOR'S NOTE: This is the last in a series of ten articles on laws which were passed at the 1949 session of the Michigan Legislature. They affect you and every resident of Michigan. The entire series is prepared as a public service of the State Bar of Michigan under the direction of Russell A. Searl, Lansing, Chairman of the State Bar Committee on Legislation and Law Reform. The articles are objective in nature and do not attempt to comment on the relative worth of the legislative enactments but rather to present the most important facts and alert you to the changes these laws represent as they became effective on September 22, 1949.

Of the remaining bills passed by the 1949 Legislature and not previously covered in this series, perhaps the one of most interest to the general public is the motor vehicle code. This codifies in one act previous laws covering the registration, licensing, and operation of motor vehicles.

Also included are provisions for the issuance of operators' and chauffeurs' licenses and the financial responsibility act under which it is the duty of those involved in accidents to report to the Secretary of State's office.

This codification was the subject of study for a period of nearly two years. As originally drafted it would not only have codified these laws but also made material changes therein.

These included such controversial issues as transferring duties in regard to the issuance of operators' and chauffeurs' licenses from the sheriff's department of the several counties to the Secretary of State's office.

It became apparent early in the session that any bill proposing such controversial changes would meet with defeat and, therefore, the bill was reworked so as to eliminate about a relatively few changes in the present law.

As passed and printed it contains 326 sections and 84 pages of the public acts.

The bill was not introduced until late in the session because of

the time consumed in making such changes in the original draft.

With the limited time remaining in the session it was impossible for the legislature to give that same careful consideration to numerous provisions of the bill that is normally given to bills.

Instead, the members accepted the bill upon the assurance of the sponsor, Robert H. Montgomery, speaker pro tem of the House, that the bill merely codified the present law without making material change therein.

However as is the case with any codification, certain changes were effected. Recently even Representative Montgomery has been quoted as criticizing certain requirements of the act.

Among the provisions of the law which were changed in some respects are as follows:

Motor Scooters and Bicycles

Motor scooters and bicycles with motors attached must now be titled and licensed as motor vehicles. This will not however be enforced until March 1, 1950 when 1950 licenses will be required. Tags for 1949 licenses are unavailable.

Specific regulations governing the operation of bicycles on the public highway were written into the law. These are largely in accordance with former requirements of the common law but had not been previously written into any state statute.

It now becomes a misdemeanor for the parent or guardian of any child to authorize or knowingly permit the child to violate these provisions. These prohibit more than one person riding on a bicycle or motor scooter unless it is equipped to carry more.

It also prohibits persons riding a bicycle or even on a sled or roller skates to hang onto an automobile being driven on a highway. It prohibits the carrying of packages on a bicycle if this prevents the driver from keeping both hands on the handlebars.

It requires the equipping of a bicycle operated on the highway at night with a lamp throwing a white light in front of the bicycle which must be visible for at least 500 feet with a red reflector on the rear visible at all distances from 50 feet to 300 feet.

Motor drivers' eyes are required to be equipped with head lamps of sufficient intensity to reveal a person or vehicle at not less than 200 feet in front if driven at more than twenty-five miles per hour.

Accident Reporting

It is now necessary for every

person in whose name a car is registered to notify the Secretary of State of change in address within 10 days thereafter.

Change was made in the requirements regarding the reporting of accidents to require anyone who has struck a marked car to notify the owner, if possible, and if that is not possible to report the accident to the nearest police officer.

The report must also be made to the police where stop signs or bridge abutments and other fixtures on the highway are struck. Persons removing damaged cars from the scene of the accident are also required by order of the highway any glass or other injurious substance dropped from the vehicle.

The right of police officers to direct traffic on all highways of the state was specifically authorized. It is not immaterial whether or not you are outside the city limits. It is an offense to refuse to comply with the officer's orders.

Fishing

Of interest to Michigan sportsmen was change in the fishing law removing the size limitations on pan fish. However, no change was made in the maximum number which could be taken in any one day.

Racing

Of interest to both urban and rural residents is the law prohibiting the holding of running races at state fair grounds in Detroit after January 1, 1950. This does not preclude harness racing.

The department of agriculture was authorized to lease any part of the buildings on the state fair grounds for not more than one year so long as this did not interfere with the holding of the state fair.

Miscellaneous

Other miscellaneous bills passed included the abolition of the State Land Office Board. Its duties having to do with state owned lands, were transferred to the Department of Conservation.

It is now possible to obtain a rider upon a fire insurance policy under which the insured would be entitled to reimbursement for the deductible amount of the cost of replacement of the burned building and its actual value.

Previously the owner of the building could not insist upon rebuilding the structure at the expense of the insurance company or the payment by the company of any amount in excess of its actual value at the time it was destroyed.

One will now be entitled to be licensed as a certified public accountant even though he does not possess the educational requirements previously specified, providing he has had at least twenty years experience in accounting.

Those persons operating a business under an assumed name are now required to file new certificates so that the old records in the office of the County Clerk, which had become unwieldy, could be destroyed. From now on such registration must be renewed every five years.

The legislature also appropriated funds to match local and federal funds in building a number of local air fields.

Summary

In general, the 1949 legislature will go down in history as having passed a substantial amount of constructive legislation. It followed present day tendencies by increasing the coverage of such acts as the Workmen's Compensation Law and increasing the benefits under the act as well as under the Unemployment Compensation Act.

Another attempt was made to enact a workable law for the settlement of labor disputes. This has already been called upon and used for the holding of a number of elections on the issue of striking.

Relatively few bills passed have

Mahn-go-tah-see Bridge Repairs Made

H. H. Corson, 979 Chesterfield, was among the seven men who visited Camp Mahn-go-tah-see last week to make needed repairs on the George Kimball bridge. Built 15 years ago, this is the first time any work has been done on the bridge.

The original was built by the Oakland county engineering society's members. Some of those workers were among those who made the current inspection and repairs.

Cedar timbers were cut by staff members a year ago so that well-seasoned wood would be available when repairs were needed. The bridge, which connects the dining lodge hill with cabin hill, is now said to be in first class shape.

Following their work, the engineers sat around the lodge fireplace, recalling incidents in the lives of some of the original crew. This included "Pat" Van Wageningen and George Kimball.

Others who worked on the repair projects were George Nampa, Royal Oak, R. H. Goodrich, Russell Grinnell, James Taylor, Thad H. Berts and Roy F. Goodspeed.

been the subject of controversy. Of controversial bills, the most prominent was the bill making amendments to the one-man grand jury law.

The legislature will be reconvened early in the year 1950, to make appropriations for that year. These will include the appropriations for schools required under the sales tax diversion amendment.

However, this being a special session, the legislature can only pass acts dealing with subjects submitted by the governor to the legislature.

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