

HB 743 -- Penalties for Motor Vehicle-Related Offenses

Sponsor: St. Onge

This bill changes the laws regarding the penalties for motor vehicle-related offenses. Violations of all-terrain vehicle titling, registration, and equipment; securing a truck load; mudflaps; spotlamps; lighting or marking of an animal-driven vehicle; motor vehicle safety glass; front or rear alterations of a motor vehicle or operation of a motor vehicle without proper bumpers; window tinting; operation of a motorized bicycle without a license or upon an interstate highway; motor vehicle inspection station regulations; school bus inspections; motor vehicle safety inspection regulations; and commercial motor vehicle regulations will be infractions.

All court costs, fees, surcharges, and other charges for an infraction will be assessed in the same manner and amount as a misdemeanor. An offense is an infraction if it is designated as one or if a violation can result only in a fine, forfeiture, or other civil penalty. A determination of whether an infraction has occurred will be made by the filing of a civil action. The action must be filed by a person who is authorized to bring a criminal action or an action to enforce an ordinance. The action will be brought in the name of the state or the appropriate political subdivision. An infraction violation will be proved by a preponderance of the evidence but will not be tried by a jury. If an infraction violation is proven, judgment will be entered for the plaintiff.

A driver is required to stop on the signal of any law enforcement officer and to obey any reasonable signal of the officer given in the course of enforcing any infraction. Any person who fails or refuses to obey any signal or who resists an officer while enforcing an infraction will be guilty of a class A misdemeanor.