

DRUNK DRIVING, OR DRIVING WITH A SUSPENDED LICENSE

Drunk driving (DUI) or driving with a suspended license can result in:

- Installation of an ignition lockout device.
- Immobilization of the vehicle and/or the driver.
- Confiscation of license plates.
- Denial of automobile registration.

Violators can also face heavy fines, jail time, and mandatory substance abuse treatment. The penalties are more severe for drivers with previous convictions - even convictions from another state.

Warning! - Multiple drunk driving convictions can result in deportation. Immigration has deported many Legal Permanent Residents for this.

SEAT BELTS AND CHILD SAFETY SEATS

The police can stop you and ticket you if anybody in your car breaks the following laws:

- The driver and all front-seat passengers must wear seat belts.
- Children under 4 years of age must be in a child safety seat.
- Children ages 4-15 must wear a seat belt, in the front seat and back seat.

RIDING IN THE OPEN BED OF A PICKUP

The driver of a pickup can receive a ticket if:

- a person less than 18 years old is riding in the open bed of the pickup, and
- the pickup is moving faster than 15 miles an hour.

The above law does not apply if a person less than 18 years old is riding in the bed of a vehicle that is controlled or operated by an employer or employee of a farm operation, construction business, or similar enterprise during the course of work activities.

The law means that you cannot receive a ticket for an adult riding in the open bed of your pickup. However, please remember that it is not safe to ride there.

NEW, LARGE FINES FOR DRIVING VIOLATIONS:

If you commit these violations, the state of Michigan will charge you these fines for **two straight years**:

- \$ Drunk driving: \$1,000
- \$ Driving with a suspended license: \$500
- \$ Driving with no proof of insurance: \$200
- \$ Driving with an expired license: \$150

If you do not pay these fines, your license will be suspended until you pay the fine, plus another \$125.

Farmworker Legal Services is a division of Legal Services of South Central Michigan.

This brochure discusses Michigan laws effective as of May 23, 2005. These laws can change in the future.

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Driving in Michigan

-What you Should Know-

A guide to driving regulations and tips for Michigan farm workers.



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GETTING A DRIVER'S LICENSE OR STATE I.D. CARD

- You have to show the Michigan Secretary of State certain documents that prove your identity. The Secretary of State has a list of documents that you can choose from. Examples of these documents include: a U.S. passport, U.S. birth certificate, Permanent Resident Card, foreign passport, foreign birth certificate, and a foreign or U.S. marriage license. Please contact us if you want to receive this list.

- You do not currently need immigration documents in order to get a driver's license or state I.D. card in Michigan. However, if you are not a U.S. citizen and you do not have immigration documents or a license or I.D. from another state, you will probably need a passport from your home country. A "matricula consular" is not acceptable.

- *In the future, Michigan law might limit licenses and I.D. cards to legal immigrants. Please contact us for the current law.*

- If one of your "identity documents" is not in English, you must first get it translated. The translator needs to sign the translation, but these translations do not need to be notarized, even if the translator is a notary public.

- **For Driver's Licenses:** If you have a Social Security Number, you have to write down the number. If you have never received a Social Security Number, you have to write that you have never received one. You should never write down a "false" number or a number that is not yours, or you could be charged with fraud.

- The first time that you apply for a driver's license, you have to prove that you live in Michigan by showing a document with your name and address; a PO Box will not work. Examples are paychecks with your employer's name and address, utility bills (except cell phone bills), bank statements, and leases.

WHEN THE POLICE STOP YOUR CAR:

- Stay in your car. Nobody in the car should get out without the officer's permission.

- Keep your hands where the officer can see them and do not make any sudden moves. The officer is concerned about his or her safety and does not know what you have in your car - the officer might think that you have a weapon.

- The officer has the right to ask to see your driver's license, proof of car insurance, and proof of car registration. He or she does not have the right to see proof of your immigration status. If the officer asks for your Identification, you only need to show the officer your driver's license. For that reason, you should not volunteer anything about your immigration status.

COMMON REASONS FOR BEING STOPPED BY THE POLICE, AND FOR RECEIVING A TICKET

- Tinted windows. In Michigan, front vehicle windows may not be tinted except along the top edge. However, if your car is registered in a different state, Michigan police cannot ticket you for having tinted windows.

- An object hanging from your rear-view mirror or attached to your windows, such as fuzzy dice or rosaries. This is considered to be a driving hazard.

- Vehicle defects, such as a broken taillight or headlight.

- Not having a driver's license, proof of insurance, or the vehicle's registration. You should have these with you at all times when you are driving. If you are not a resident of Michigan, the police can take you to jail for not having a license with you.

- You may not use one license plate for more than one car - each car needs its own registered license plate.

- Having alcohol in an open container, or a minor having alcohol in his or her possession.

- If you approach a stopped fire truck, police car, ambulance, or tow truck that has its lights flashing, the law says that you must move at least one lane away, or if that is not possible, you must slow down, maintain a safe speed, and drive with caution.

IF YOU ARE GIVEN A TICKET BY THE POLICE:

- If you are not a resident of Michigan and you are given a ticket for a traffic violation, the officer can confiscate your driver's license, unless you pay the officer a bond of up to \$100 in cash.

- If you pay a bond to the officer, you must still pay the ticket OR show up in court within 10 days. Paying the money only prevents the officer from taking your driver's license. The money is not a bribe; the officer has to give you a receipt when you pay him or her the money and you must still either pay the ticket or show up in court - otherwise a warrant will be issued for your arrest.

- If you show up in court within 10 days, then the bond will be applied toward your fines and court costs, and the remaining bond money will be returned to you. If you send payment for the ticket to the court, the bond will be returned to you.

- If the officer takes your driver's license, it will be returned to you when you pay the ticket or you show up in court. The officer will mark your ticket to show that he or she took your license. You should pay the ticket or appeal it as soon as possible, because the police can now ticket you for not having a license even though you have the ticket marked that says that the officer took your license.

- If you receive a ticket, the ticket should list the reason why the police gave it to you.

- If you do not pay the ticket or you do not show up in court, a bench warrant can be issued for your arrest, and your driver's license can be suspended.