DRIVE SAFELY IN MICHIGAN

A Guide for Migrant Farmworkers and their Families
# Table of Contents

## Introduction .............................................................................4

## Safety of Passengers
- Seat Belts .................................................................6
- Children in Vehicles ..................................................6
- Heatstroke ...............................................................7
- Bed of the Truck ..........................................................7

## Things that Impair Driving Ability
- Mobile Phone Use ......................................................9
- Distracted Driving .....................................................9
- Minors Drinking .........................................................9
- Impaired Driving ........................................................10

## Rules of the Road
- “Move Over” Law ........................................................12
- School Buses .............................................................12
- Construction Zones ..................................................13
- Lanes of Travel ..........................................................13
- Driving Violations ......................................................14
- Traffic Violation Bond ...............................................14
- Interaction with Police ...............................................15

## Administrative
- Vehicle Registration & Insurance ...................................17
- Michigan Driver’s License ..........................................18
- Foreign Driver’s License .............................................19
This guide serves as a reference for migrant farmworkers about driving safely and Michigan traffic laws. The guide does not include every Michigan traffic law. It is meant as a resource to provide greater understanding by the migrant community and increase safety on the roads.
Safety of Passengers
Seat Belts

- Drivers, front seat passengers, and all passengers age 15 and younger must wear seat belts.
- Police may pull over a vehicle if the driver or passengers are not using seat belts.
- Seat belts keep you in the vehicle which reduces the risk of serious injury or death in a crash.
  » Air bags are designed to work with seat belts.

Children in Vehicles

- Children are required to use a car seat or booster seat until at least age 8 or 4'9" (144.78 cm) tall.
  » Children do not fit in seat belts and need car seats to protect them.
- A baby is not safe being held in someone's arms, even when nursing. The force of a crash will throw the baby and can result in serious injury or death.
  » Babies should be in a rear-facing car seat until at least age 2 and then use a car seat with a harness until about age 5 after which a booster seat is needed.
- Car seats should not be used if:
  » Involved in a crash.
  » Past the expiration date.
  » Purchased at garage sales or second-hand stores.
  » Second-hand unless history is known.
Heatstroke

• Never leave anyone, especially a child, elderly person, or pet, alone in a vehicle.
  » A hot vehicle can cause severe injury or death and could result in arrest or jail time for the driver.
• In 10 minutes, a vehicle’s temperature can rise more than 20°F (11°C).
• Even in 60°F (15.5°C) weather, the temperature inside the vehicle can reach 110°F (43.3°C).

Bed of the Truck

• Even at low speeds riding in the bed of a truck, covered or uncovered, is dangerous.
  » There’s nothing to keep you safe in the event of a crash.
  » A bump or curve can cause riders to be thrown from the truck bed.
• Persons under age 18 may not ride in the open bed of a truck at a speed greater than 15 miles per hour (24 kilometers per hour) on a public roadway.
  » This does not apply to a vehicle controlled or operated by an employer or employee of a farm operation, construction business, or similar enterprise during the course of work activities.
Things that Impair Driving Ability
Mobile Phone Use

- Do not read, manually type, or send a text message while driving.
  - Drivers may make mobile phone calls and use GPS units affixed to the vehicle.
  - Individual cities, townships, and counties may enact mobile phone bans in their jurisdiction. These will be posted when entering the area.
- The fine for a first offense of texting while driving is $100.

Distracted Driving

- Drivers who become distracted and commit a traffic violation can receive a ticket.
- Distracted driving can include:
  - Using a cell phone or texting.
  - Eating and drinking.
  - Talking to passengers.
  - Grooming.
  - Reading, including maps.
  - Using a navigation system.
  - Watching a video.
  - Changing the radio station, CD, or MP3 player.

Minors Drinking

- It is illegal for persons under age 21 to have alcohol in their possession.
  - Persons under age 21 may not purchase or consume alcohol.
- It is illegal to purchase or provide alcohol to persons under age 21.
  - Adults are legally responsible if a person under age 21 consumes alcohol in their home.
- It is illegal for persons under age 21 to operate a vehicle while impaired by alcohol at any level.
Impaired Driving

• Do not operate a vehicle under the influence of alcohol, drugs, or any other intoxicating substance that impairs your ability to drive.
  » A driver is considered impaired with a blood alcohol content of .08 or higher.
  » A driver can be arrested at any blood alcohol content level if police believe he/she is driving while impaired.
  » Refusal to take a chemical test will result in a suspended license.

• Penalties are higher if convicted with a blood alcohol content of .17 or higher.

• A conviction for operating while intoxicated can result in:
  » A suspended license.
  » Installation of an ignition interlock device.
  » Immobilization of the vehicle.
  » Confiscation of license plates.
  » Denial of automobile registration.

• Violators can also face points on a driver’s license, heavy fines, jail time, and mandatory alcohol use programs. The penalties are more severe for drivers with previous convictions, even if they are from another state or country.

• When driving or riding in a vehicle, do not possess or transport alcohol in an open or uncapped container.
Rules of the Road
“Move Over” Law

- For stationary emergency vehicles with their flashing lights on:
  » Move over one lane, or
  » Slow down and pass with caution if a lane is not available.

- Failure to move over is four points on a driver’s license and at least a $150 fine.

- Types of emergency vehicles include:
  » Police vehicles.
  » Fire trucks.
  » Ambulances or rescue vehicles.
  » Tow trucks.
  » Service or courtesy vehicles.

School Buses

- Treat school buses like traffic signals.
  » **No lights (green)** = proceed safely.
  » **Overhead flashing yellow** = prepare to stop.
  » **Overhead flashing red** = stop.

- Stop at least 20 feet away.
  » Vehicles in both lanes of travel must stop.
  » Vehicles on the opposite side of a divided highway do not need to stop.

- Slow down in or near school and residential areas where children might be playing.
  » Be on the lookout for safety patrols, crossing guards, bicycles, and playgrounds.

- Watch for children between parked vehicles and other objects.
Construction Zones

• Areas of roadway will be marked by signs and orange reflective cones and barrels.
  » Drive with extra caution until passing the sign indicating end of construction zone.

• Adjust driving speed for posted limit and keep up with the flow of traffic.
  » Lower speed to 45 miles per hour when workers are present.

• Penalties for speeding or crashing in a construction zone include:
  » Double the fine.
  » Larger number of points on a driver’s license.
  » Possible jail time.

• Be courteous; construction zones are necessary to improve roads and make them safe.

Lanes of Travel

• Vehicles should travel in the right-hand lane if the road has two or more lanes of travel in one direction.
  » Exceptions are for passing another vehicle.
Driving Violations

- Driver’s license holders are subject to all fees, fines, restrictions, laws, and enforcement of Michigan laws.
- Failure to pay fines and fees or show up in court may result in a suspended license as well as additional costs and penalties.
- The reason for the violation will always be listed on the ticket.

Traffic Violation Bond

- Nonresidents who receive a driving violation may be asked to pay the police a bond of up to $100 in cash or surrender their driver’s license.
  » The money is for the court, not the police.
  » Police will give you a receipt when you pay.
- Drivers must still pay the ticket or attend court.
  » If attending court within 10 days, the bond will be applied toward the fines and court costs, and the remaining bond money will be returned.
  » If payment is remitted by mail, the bond will be returned.
- Surrendered driver’s licenses will be returned upon payment of the ticket or appearance in court.
  » The ticket will be noted to indicate a surrendered driver’s license.
  » The ticket is not considered a driver’s license. Tickets should be paid as soon as possible to avoid driving without a valid license.
Interaction with Police

• Michigan police are service oriented with the goal of keeping you safe. Traffic patrols are meant to reduce crashes, injuries, and deaths.

• When stopped, your safety and the safety of police are the primary concerns.
  » Be courteous and cooperative.
  » Stay in your vehicle unless police ask you to get out. Both the driver and passengers may be asked to step out.
  » Keep your hands where the police can see them and avoid making any sudden moves.
  » Ask before opening compartments or containers to get paperwork.

• Police have the right to ask to see a driver’s license, proof of insurance, and proof of vehicle registration.
  » Police will not generally ask for proof of legal status in the country.

• If you feel you were not responsible for the violation, you have the right to a court hearing.

• If you feel you were not treated fairly, you have the right to contact the police officer’s supervisor.
  » Contact legal services if you need information or assistance.
Administrative
Vehicle Registration and Insurance

- Vehicles must be legally registered in Michigan, another state, or country of residence.
- Vehicles operated in Michigan for more than 90 consecutive days must be registered in Michigan.
- Proof of valid vehicle insurance may be provided to police in paper or electronic form, such as a mobile phone.
  » Police may request to have the electronic copy forwarded to them for verification.
- Vehicle owners must purchase Michigan no-fault insurance before registering their vehicle. Out-of-state insurance policies are not accepted.
  » Coverage for vehicle damage and vehicle theft are not required but are recommended additions.

<table>
<thead>
<tr>
<th>When purchasing a vehicle from an individual</th>
<th>When purchasing a vehicle from a dealership</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Purchase vehicle</strong></td>
<td>The dealer will:</td>
</tr>
<tr>
<td>You do not need a license plate to drive your new vehicle directly home in Michigan within 3 days of purchase.</td>
<td>Handle all the paperwork for title, registration, and plate</td>
</tr>
<tr>
<td><strong>Get insurance for your new vehicle</strong></td>
<td>Make sure you have purchased and present proof of Michigan no-fault insurance.</td>
</tr>
<tr>
<td><strong>Bring title and proof of insurance into a Secretary of State office to get registration, plate, and tabs for the new vehicle</strong></td>
<td>Collect the required fees and taxes</td>
</tr>
<tr>
<td></td>
<td>Provide you with copies of all documents</td>
</tr>
</tbody>
</table>

It is best if you AND the seller go to a Secretary of State office to complete the title transfer.
Michigan Driver's License

- Licensed drivers must be a Michigan resident and U.S. citizen or have permanent or temporary legal presence.
  » Residency means you live in Michigan and have established you are legally present in the state.

- A valid driver’s license or state identification card from another state or Canada can be used until residency is established.

- Drivers age 17 and younger are licensed under Michigan’s Graduated Driver Licensing program unless licensed in another state for more than one year.
Foreign Driver’s License

- Nonresidents from certain countries may operate a vehicle in Michigan with a valid driver’s license. Select countries are listed below. For a complete list visit Michigan.gov/SOS.

- Nonresidents with a valid driver’s license from all other countries may operate a vehicle in Michigan as long as they:
  » Are not paid or compensated for driving.
  » Are legally present in the United States.
  » Carry a driver’s license with an English translation, an International Driving Permit, or corresponding document.

<table>
<thead>
<tr>
<th>Country</th>
<th>Operate a Vehicle with Valid License</th>
<th>Operate a Commercial Motor Vehicle with Valid Commercial License</th>
</tr>
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<tbody>
<tr>
<td>Brazil</td>
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<tr>
<td>Colombia</td>
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<td>Costa Rica</td>
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<td>Panama</td>
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<td>Yes</td>
</tr>
<tr>
<td>Uruguay</td>
<td>Yes</td>
<td>Yes</td>
</tr>
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</table>