

Judicial Information Systems / District Court System

Updating SOS Code Files and Statute Files with New SOS Code 3292 GDL Driver Operating While Using Cellular Telephone (Kelsey's Law), MCL 257.602C

Effective March 28, 2013

MCL 257.602c(1) provides an individual issued a level 1 or level 2 graduated license under section 257.310e shall not “use” a cellular telephone while operating a motor vehicle upon a highway or street. “Use” means to initiate a call; answer a call; or listen to or engage in verbal communication through the cellular telephone. This does not apply to an individual using a voice-operated system that is integrated into the motor vehicle. MCL 257.602c applies to current and future Level 1 or 2 graduated license holders.

MCL 257.602c(1) does not apply to an individual issued a level 1 or level 2 graduated license who is using a cellular telephone to do any of the following:

- Report a traffic accident, medical emergency or serious road hazard.
- Report a situation in which the person believes his or her personal safety is in jeopardy.
- Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person.

A violation cited under MCL 257.602c, is a civil infraction, 0 points will be assessed, and is only eligible for FCJ suspension. Suspensions shall be submitted to MDOS using offense code 3292. This offense does not receive an abstract.

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IMPORTANT: STEPS MUST BE COMPLETED IN THE ORDER LISTED

Step 1: Using your Administrative Sign-on, add SOS Offense Code 3292 to the SOS Code File via the **SOS Code File Inquiry & Update** screen. Populate fields as shown below and press **F2-Add**. **NOTE:** JIS has already taken this step for the Online Courts.

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SOS Code File Inquiry & Update      2/25/13  09:50:57
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Code: 3292      CODE Effective: 32813      Begin      End
Vehicle Type: _ (Blank, C=Commercial, S=Snowmobile, W=Watercraft, O=ORV)
Offense Type: _ (Blank, A=Alcohol, D=Drug, M=MIP, S=Speeding
                P=Parking, H=Handicap Parking)
Description:
GDL 1 OR 2 DRIVER OPERATING WHILE USING CELLULAR TELEPHONE
-----
Abstract      : _____ Begin      End      NOTICE BASED ON:
Deferral Abs  : _____ (A=Adjudication Date, 0=Offense Date)
Audit Abs    : _____
FAC          : _____
FCJ          : _____ 0
FCPV        : _____
14D         : _____ 0
NNC         : _____
Susp/Rest   : _____ Last Chgd: 02/08/2013 Chgd By: JAYA
-----
Enter-Inquiry  F1-Clear Screen  F2-Add  F3-Update  F23-Delete
F24-Previous Menu  Roll-Page
    
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(Step 1 – Updating your SOS Code File)

Step 2: In the Traffic/Criminal Subsystem, add a Charge code (e.g. 3292) to your Statute File via the **Statute File Inquiry & Update** screen. Populate fields as shown below and press **F2-Add**

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Statute File Inquiry & Update      2/25/13  09:48:16
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Table L Charge 3292      Fel/Mis/Civ C Case Types OI SI
Ordin. _____ PACCH MCL 257.602C(1)      SOS 3292
Payable Misdemeanor _ (Blank or X) 14-Day Notice _ (Blank or X)
Drug Reportable _ (Blank or X)
Drunk Driving Reportable _ (V=Mtr Veh B=Minor BAC M=Marine S=Snowmobile O=ORV)
Crime Victim Reportable _ (X=Specified S=Serious A=Accident)
Short Description GDL1OR2/CELL
Long Description GDL 1 OR 2 DRIVER OPERATING WHILE USING CELLULAR TELEPHONE
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Penal Fines      Code      Amount      Default      Combined Ordin.
Penal Costs      _____      _____      _____      Fine & Costs Code
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Other Assessments / _____      _____      _____      Penalty
                  / _____      _____      _____      Amt      Days
                  \ _____      _____      _____      _____      _____
                  \ _____      _____      _____      _____      _____
                  \ _____      _____      _____      _____      _____
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Initial Assessment 0.00
Enter-Inquiry      F1-Clear Screen      F2-Add      F3-Update      F4-Prompt
F23- Delete        F24-Previous Menu
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Include SOS Offense Code 3292 and Effective Begin Date 032813 when creating the new Charge Code.

Courts will need to enter their own cash codes (Code), assessment amounts (Amount), Combined Ordin. Fine & Costs Code, Penalty Amt and Days.

(Step 2 – Adding Offense to your Statute File)