



MICHIGAN STATE POLICE LEGAL UPDATE

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CRIMINAL LAW AND PROCEDURE MANUAL

The third edition of *Michigan Criminal Law and Procedure: A Manual for Michigan Police Officers* is now available for purchase in print and eBook formats.

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STATUTES

Michigan Vehicle Code amended to allow electronic copies of certificates of insurance

[Public Act 135 of 2015](#) amended [MCL 257.328](#) of the Michigan Vehicle Code to allow for the production of electronic evidence of motor vehicle insurance.

As amended, [MCL 257.328](#) allows the owner or operator of a motor vehicle to display an electronic copy of the certificate of insurance for that motor vehicle using an electronic device (e.g., cellphone, tablet) when requested to produce evidence of insurance by a police officer.

A person who displays a certificate of insurance to a police officer using an electronic device is not presumed to have consented to a search of the device and the police officer is prohibited from manipulating the device to view any other information on the device.

A police officer may require the person to electronically forward the electronic copy of the certificate of insurance to a specified location provided by the police officer so the police officer may view it in a setting which is safer for the police officer to verify that the information contained in the certificate of insurance is valid and accurate.

The State of Michigan, a law enforcement agency, or an employee of the State of Michigan or a law enforcement agency is not liable for damage to or loss of an electronic device that occurs as a result of a police officer's viewing an electronic copy of a certificate of insurance as provided in [MCL 257.328](#), regardless of whether the police officer or the owner or operator of the vehicle was in possession of the device at the time the damage or loss occurred.

A certificate of insurance, issued by an insurance company in paper or electronic form that certifies that

security meeting the requirements of MCL 500.3101 and MCL 500.3102 is in force is prima facie evidence that insurance is in force for the motor vehicle described in the certificate of insurance until the expiration date shown on the certificate.

Amendments to the Firearms Act related to prohibited premises and individual concealed pistol license exemptions

[Public Act 206 of 2015](#) and [Public Act 207 of 2015](#) amended various sections of the [Firearms Act](#), including [MCL 28.425o](#), [MCL 28.425b](#), and [MCL 28.421](#).

[MCL 28.425o](#) was amended to add the following Michigan concealed pistol license (CPL) holders to the list of individuals who are exempt from the prohibition on carrying a concealed pistol or a portable device that uses electro-muscular disruption technology on certain premises:

- A retired corrections officer of a county sheriff's department, if that individual has received county sheriff approved weapons training.
- A parole, probation, or corrections officer, or absconder recovery unit member, of the Department of Corrections, if that individual has obtained a Michigan Department of Corrections weapons permit.
- A retired parole, probation, or corrections officer, or absconder recovery unit member, of the Department of Corrections, if that individual has obtained a Michigan Department of Corrections weapons permit.

The definition of "acceptable proof" contained in [MCL 28.425b\(22\)\(a\)](#) was amended to identify the documentation required from an individual in order to obtain an indication on his or her CPL that he or she is exempt from the prohibition against carrying a concealed pistol on the premises described in [MCL 28.425o](#).

[MCL 28.421](#) was amended to add definitions of the following terms for purposes of the Firearms Act:

- Corrections officer of the Department of Corrections
- Local corrections officer
- Parole or probation officer of the Department of Corrections
- Retired corrections officer of the Department of Corrections
- Retired parole or probation officer of the Department of Corrections

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