



**House
Legislative
Analysis
Section**

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SUSPEND DRIVER'S LICENSE OF MINOR WITH FIREARM

House Bills 4013 and 4629

Sponsor: Rep. Floyd Clack

Committee: Judiciary and Civil Rights

Complete to 3-27-95

A SUMMARY OF HOUSE BILL 4013 AS INTRODUCED 1-11-95 AND HOUSE BILL 4626 AS INTRODUCED 3-21-95

The bills would amend the Michigan Penal Code and Michigan Vehicle Code, respectively, to require the denial or suspension of the driver's license of a minor found guilty of possessing a firearm in public except under the direct supervision of an adult.

More specifically, currently under the Michigan Penal Code (Public Act 328 of 1931), it is illegal for someone less than 18 years old to have a firearm in public except under the direct supervision of someone 18 years old or older. (The code also exempts minors with hunting licenses and those traveling to or from a recognized target range, if the firearm is enclosed and securely fastened in a case or locked in the trunk of a motor vehicle.) Violations of this section of the code are misdemeanors punishable by imprisonment for up to 90 days and a fine of up to \$100. The bill would amend the penal code (MCL 750.234f) to require, as part of the sentence for a violation of this section of the code, that the court order the secretary of state to deny or suspend the minor's driver's license for up to one year, and would allow the court to order community service for up to 100 hours (in addition to the existing penalties) as part of the sentence.

Currently, the Michigan Vehicle Code (Public Act 300 of 1949) prohibits the secretary of state from issuing drivers' licenses under certain circumstances, including to people convicted of certain crimes, and requires the secretary of state to suspend a driver's license of a person convicted of various crimes. House Bill 4329 would amend two sections of the vehicle code (MCL 257.303 and 257.319) to prohibit the secretary of state from issuing a license to anyone convicted of, or receiving a probate disposition for, violating the section of the penal code amended by House Bill 4013, and to require the secretary of state, upon receiving the record of conviction or probate court disposition for a violation of that section of the penal code, to immediately suspend the person's license for the period ordered by the court.

House Bills 4013 and 4629 (3-27-95)