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Senate Fiscal Agency  
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Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

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House Bill 4813 (Substitute S-2 as reported by the Committee of the Whole)  
Sponsor: Representative Ruth Johnson  
House Committee: Criminal Justice  
Senate Committee: Judiciary

### **CONTENT**

The bill would amend the Michigan Vehicle Code to repeal Public Act 214 of 1931, which provides penalties for felonious driving, and re-enact and revise the felonious driving provisions within the Michigan Vehicle Code. Under the bill, a person would be guilty of felonious driving if he or she operated a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, carelessly and heedlessly in willful and wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner that endangered or was likely to endanger any person or property resulting in a "serious impairment of a body function" of a person, but not causing death. The violation would be punishable by up to two years' imprisonment, a maximum fine of \$2,000, or both. (Felonious driving under Public Act 214 applies only to driving a vehicle upon a highway, and the current felony applies when a violation results in an injury that cripples a person.)

The maximum term of imprisonment under Public Act 214 is the same as that proposed by the bill. The bill would increase the maximum fine from \$1,000 to \$2,000.

"Serious impairment of a body function" would include, but would not be limited to, loss of a limb or the use of a limb; loss of a foot, hand, finger, or thumb or the use of a foot, hand, finger, or thumb; loss of an eye or ear or the use of an eye or ear; loss or substantial impairment of a bodily function; serious visible disfigurement; a comatose state that lasted for more than three days; measurable brain or mental impairment; a skull fracture or other serious bone fracture; subdural hemorrhage or subdural hematoma; or loss of an organ.

The bill would take effect on February 1, 2002.

MCL 257.319 et al.

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

Please see **FISCAL IMPACT** on Senate Bill 675 (S-1).

Date Completed: 10-19-01

Fiscal Analyst: B. Wicksall  
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