

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5393**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 1 and 12 of chapter XVII (MCL 777.1 and 777.12), section 1 as amended by 2000 PA 279 and section 12 as amended by 2001 PA 160, and by adding sections 12a, 12b, 12c, 12d, 12e, 12f, 12g, 12h, 12j, 12k, 12m, and 12n to chapter XVII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 1. As used in this chapter:

3 (a) "Aircraft" means that term as defined in section ~~4~~ 2
4 of the aeronautics code of the state of Michigan, 1945 PA 327,
5 MCL ~~259.4~~ 259.2.

6 (b) "Departure" means that term as defined in section 31 of
7 chapter IX.

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1 (c) "Homicide" means any crime in which the death of a human
2 being is an element of that crime.

3 (d) "Intermediate sanction" means that term as defined in
4 section 31 of chapter IX.

5 (e) "ORV" means that term as defined in section 81101 of the
6 natural resources and environmental protection act, 1994 PA 451,
7 MCL 324.81101.

8 (f) "Snowmobile" means that term as defined in section 82101
9 of the natural resources and environmental protection act, 1994
10 PA 451, MCL 324.82101.

11 (g) "Vehicle" means that term as defined in section 79 of
12 the Michigan vehicle code, 1949 PA 300, MCL ~~257.49~~ 257.79.

13 (h) "Vessel" means that term as defined in section 80104 of
14 the natural resources and environmental protection act, 1994
15 PA 451, MCL 324.80104.

16 Sec. 12. This chapter applies to ~~the following~~ felonies
17 enumerated in chapters 200 to 299 of the Michigan Compiled Laws
18 ~~AS SET FORTH IN SECTIONS 12A TO 12N OF THIS CHAPTER.~~

| 19 | M.C.L. | Category | Class | Description | Stat | Max |
|----|-------------------------|---------------------|------------------|---|-----------------|----------------|
| 20 | 205.27(1)(a) | Pub | trst | G Failure to file or false tax | | |
| 21 | | | | return or payment | | 5 |
| 22 | 205.27(1)(b) | Pub | trst | G Aiding and abetting tax eva- | | |
| 23 | | | | sion or filing false returns | | 5 |
| 24 | 205.27(1)(c) | Pub | trst | G Making/permitting false tax | | |
| 25 | | | | returns or payments | | 5 |
| 26 | 205.27(3) | Pub | trst | G False tax returns/perjury | | 15 |
| 27 | 205.28(1)(e) | Pub | trst | G State employee compromising | | |
| 28 | | | | taxes | | 5 |

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|----|--------------|----------|---|--------------------------------|----|
| 1 | 205.28(1)(f) | Pub trst | G | Unauthorized disclosure of tax | |
| 2 | | | | information | 5 |
| 3 | 205.428(2) | Pub trst | G | Tobacco products tax act | |
| 4 | | | | violations | 5 |
| 5 | 205.428(3) | Pub trst | G | Illegal sale of cigarettes or | |
| 6 | | | | other tobacco products with | |
| 7 | | | | wholesale price of \$250.00 | |
| 8 | | | | or more | 5 |
| 9 | 205.428(6) | Pub trst | F | Illegal tobacco stamp or | |
| 10 | | | | tobacco stamp device | 10 |
| 11 | 205.428(7) | Pub trst | G | Illegal vending machine | |
| 12 | | | | license, disk, or marker | 5 |
| 13 | 207.118a | Pub ord | G | Gasoline tax -- embezzlement | |
| 14 | | | | over \$100 | 10 |
| 15 | 207.119 | Pub trst | G | Gasoline or motor fuel tax | |
| 16 | | | | violation | 4 |
| 17 | 207.127c | Pub ord | G | Diesel fuel tax -- embezzle- | |
| 18 | | | | ment over \$100 | 10 |
| 19 | 207.754(3) | Pub trst | G | State treasurer -- municipal- | |
| 20 | | | | ity tax -- divulging confi- | |
| 21 | | | | dential information | 5 |
| 22 | 252.311 | Property | H | Destroying a tree or shrub to | |
| 23 | | | | make a sign more visible | 2 |
| 24 | 257.233a(7) | Pub ord | G | Odometer tampering | 5 |
| 25 | 257.254 | Property | E | Possessing stolen vehicle | |
| 26 | | | | title | 10 |
| 27 | 257.257(1) | Property | G | Altering or forging vehicle | |
| 28 | | | | documents -- first offense | 5 |
| 29 | 257.257(2) | Property | G | Altering or forging vehicle | |
| 30 | | | | documents -- second offense | 7 |
| 31 | 257.257(3) | Property | E | Altering or forging vehicle | |
| 32 | | | | documents -- third or subse- | |
| 33 | | | | quent offense | 15 |
| 34 | 257.309(6) | Pub ord | F | Corrupting an examining | |
| 35 | | | | officer | 5 |
| 36 | 257.309(7) | Pub ord | F | Deviating from road test | |
| 37 | | | | criteria | 5 |

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|----|-------------|----------|---|--------------------------------|----|
| 1 | 257.309(8) | Pub ord | F | Forging, counterfeiting, or | |
| 2 | | | | altering road test | |
| 3 | | | | certification | 5 |
| 4 | 257.312b(6) | Pub ord | F | Corrupting a person or agency | |
| 5 | | | | conducting a motorcycle | |
| 6 | | | | driving test | 5 |
| 7 | 257.312b(7) | Pub ord | F | Deviating from motorcycle road | |
| 8 | | | | test criteria | 5 |
| 9 | 257.312b(8) | Pub ord | F | Forging, counterfeiting, or | |
| 10 | | | | altering motorcycle road | |
| 11 | | | | test certification | 5 |
| 12 | 257.329(1) | Property | G | Possession/sale of stolen or | |
| 13 | | | | counterfeit insurance | |
| 14 | | | | certificates | 5 |
| 15 | 257.329(2) | Property | E | Possession/sale of stolen or | |
| 16 | | | | counterfeit insurance cer- | |
| 17 | | | | tificates -- second offense | 7 |
| 18 | 257.329(3) | Property | E | Possession/sale of stolen or | |
| 19 | | | | counterfeit insurance cer- | |
| 20 | | | | tificates -- third or subse- | |
| 21 | | | | quent offense | 15 |
| 22 | 257.601b(3) | Person | C | Moving violation causing death | |
| 23 | | | | to construction worker | 15 |
| 24 | 257.601c(2) | Person | C | Moving violation causing death | |
| 25 | | | | to operator of implement of | |
| 26 | | | | husbandry | 15 |
| 27 | 257.602a(2) | Pub saf | G | Fleeing and eluding -- fourth | |
| 28 | | | | degree | 2 |
| 29 | 257.602a(3) | Pub saf | E | Fleeing and eluding -- third | |
| 30 | | | | degree | 5 |
| 31 | 257.602a(4) | Person | D | Fleeing and eluding -- second | |
| 32 | | | | degree | 10 |
| 33 | 257.602a(5) | Person | C | Fleeing and eluding -- first | |
| 34 | | | | degree | 15 |
| 35 | 257.617(2) | Person | E | Failure to stop at scene of | |
| 36 | | | | accident resulting in seri- | |
| 37 | | | | ous impairment or death | 5 |
| 38 | 257.617(3) | Person | C | Failure to stop at scene of | |
| 39 | | | | accident resulting in death | |
| 40 | | | | when at fault | 15 |

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|----|-------------------|---------|---|--------------------------------|----|
| 1 | 257.625(4)(a) | Person | C | Operating a vehicle under the | |
| 2 | | | | influence or while impaired | |
| 3 | | | | causing death | 15 |
| 4 | 257.625(4)(b) | Person | B | Operating a vehicle under the | |
| 5 | | | | influence or while impaired | |
| 6 | | | | causing death to certain | |
| 7 | | | | persons | 20 |
| 8 | 257.625(5) | Person | E | Operating a vehicle under the | |
| 9 | | | | influence or while impaired | |
| 10 | | | | causing serious impairment | 5 |
| 11 | 257.625(7)(a)(ii) | Person | E | Operating a vehicle under the | |
| 12 | | | | influence or while impaired | |
| 13 | | | | with a minor in the vehicle | |
| 14 | | | | -- subsequent offense | 5 |
| 15 | 257.625(8)(c) | Pub saf | E | Operating a vehicle under the | |
| 16 | | | | influence -- third or subse- | |
| 17 | | | | quent offense | 5 |
| 18 | 257.625(9)(b) | Person | E | Allowing a vehicle to be oper- | |
| 19 | | | | ated while under the influ- | |
| 20 | | | | ence or impaired causing | |
| 21 | | | | death | 5 |
| 22 | 257.625(9)(c) | Person | G | Allowing a vehicle to be oper- | |
| 23 | | | | ated while under the influ- | |
| 24 | | | | ence or impaired causing | |
| 25 | | | | serious impairment | 2 |
| 26 | 257.625(10)(c) | Pub saf | E | Impaired driving -- third or | |
| 27 | | | | subsequent offense | 5 |
| 28 | 257.625k(7) | Pub saf | D | Knowingly providing false | |
| 29 | | | | information concerning an | |
| 30 | | | | ignition interlock device | 10 |
| 31 | 257.625k(9) | Pub saf | D | Failure to report illegal | |
| 32 | | | | ignition interlock device | 10 |
| 33 | 257.625m(5) | Pub saf | E | Commercial drunk driving -- | |
| 34 | | | | third or subsequent offense | 5 |
| 35 | 257.626c | Person | G | Felonious driving | 2 |
| 36 | 257.653a(3) | Person | G | Failure to use due care and | |
| 37 | | | | caution causing injury to | |
| 38 | | | | emergency personnel | 2 |
| 39 | 257.653a(4) | Person | C | Failure to use due care and | |
| 40 | | | | caution causing death to | |
| 41 | | | | emergency personnel | 15 |

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|----|------------------------|---------------------|--------------|---|---------------|
| 1 | 257.744a | Pub saf | D | False statement in citation == | |
| 2 | | | | perjury | 15 |
| 3 | 257.902 | Pub saf | E | Motor vehicle code violations | 5 |
| 4 | 257.903(1) | Property | E | Motor vehicle code == false | |
| 5 | | | | certification -- first | |
| 6 | | | | offense | 5 |
| 7 | 257.903(2) | Property | E | Motor vehicle code -- false | |
| 8 | | | | certification -- second | |
| 9 | | | | offense | 7 |
| 10 | 257.903(3) | Property | D | Motor vehicle code -- false | |
| 11 | | | | certification -- third or | |
| 12 | | | | subsequent offense | 15 |
| 13 | 257.904(4) | Person | C | Operating a vehicle without a | |
| 14 | | | | license causing death | 15 |
| 15 | 257.904(5) | Person | E | Operating a vehicle without a | |
| 16 | | | | license causing serious | |
| 17 | | | | impairment | 5 |
| 18 | 257.904(7) | Person | G | Allowing a vehicle to be oper- | |
| 19 | | | | ated without a license caus- | |
| 20 | | | | ing serious impairment | 2 |
| 21 | | Person | E | Allowing a vehicle to be oper- | |
| 22 | | | | ated without a license caus- | |
| 23 | | | | ing death | 5 |
| 24 | 257.1353(2) | Pub trst | H | Motor vehicle -- fail to | |
| 25 | | | | record material matter == | |
| 26 | | | | subsequent offense | 2 |
| 27 | 257.1354(2) | Pub trst | H | Motor vehicle -- general vio- | |
| 28 | | | | lations -- subsequent | |
| 29 | | | | offense | 2 |
| 30 | 257.1355 | Pub trst | H | Motor vehicle -- fail to | |
| 31 | | | | record transaction/falsify | |
| 32 | | | | records | 2 |
| 33 | 259.183 | Property | E | Aircraft == unlawful taking or | |
| 34 | | | | tampering | 5 |
| 35 | 259.185(4) | Person | C | Operating or serving as crew | |
| 36 | | | | of aircraft while under the | |
| 37 | | | | influence causing death | 15 |
| 38 | 259.185(5) | Person | E | Operating or serving as crew | |
| 39 | | | | of aircraft while under the | |

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|----|------------------------|---------------------|--------------|---|----|
| 1 | | | | influence causing serious | |
| 2 | | | | impairment | 5 |
| 3 | 259.185(8) | Pub saf | E | Operating or serving as crew | |
| 4 | | | | of aircraft while under the | |
| 5 | | | | influence -- third or subse- | |
| 6 | | | | quent offense | 5 |
| 7 | 285.82 | Pub trst | H | Grain dealers act violations | 5 |
| 8 | 285.279(c) | Property | E | False pretenses under Michigan | |
| 9 | | | | family farm development act | |
| 10 | | | | involving \$1,000 to \$20,000 | |
| 11 | | | | or with prior convictions | 5 |
| 12 | 285.279(d) | Property | D | False pretenses under Michigan | |
| 13 | | | | family farm development act | |
| 14 | | | | involving \$20,000 or more or | |
| 15 | | | | with prior convictions | 10 |
| 16 | 286.455(2) | Pub saf | G | Agriculture -- hazardous | |
| 17 | | | | substance | 5 |
| 18 | 286.929(4) | Pub trst | G | Organic products act | |
| 19 | | | | violations | 4 |
| 20 | 287.323(1) | Person | C | Dangerous animal causing death | 15 |
| 21 | 287.323(2) | Person | G | Dangerous animal causing seri- | |
| 22 | | | | ous injury | 4 |
| 23 | 287.679 | Pub ord | H | Dead animals -- third or sub- | |
| 24 | | | | sequent violation | 1 |
| 25 | 287.744(1) | Pub ord | G | Animal industry act violations | 5 |
| 26 | 287.855 | Pub saf | G | Agriculture -- contaminating | |
| 27 | | | | livestock/false | |
| 28 | | | | statement/violation of | |
| 29 | | | | quarantine | 5 |
| 30 | 287.967(5) | Pub ord | G | Cervidae producer violations | 4 |
| 31 | 288.223 | Pub saf | G | Sale or labeling of oleomarga- | |
| 32 | | | | rine violations | 3 |
| 33 | 288.257 | Pub saf | G | Margarine violations | 3 |
| 34 | 288.284 | Pub trst | H | Selling falsely branded cheese | 2 |
| 35 | 289.5107(2) | Pub saf | F | Adulterated, misbranded, or | |
| 36 | | | | falsely identified food | 4 |

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|---|------------------------|---------------------|--------------|---|--------------|
| 1 | 290.629(1) | Person | G | Weights and measures -- | |
| 2 | | | | assaults enforcement officer | 2 |
| 3 | 290.631(3) | Pub trst | G | Weights and measures | 5 |
| 4 | 290.650 | Person | G | Motor fuels -- | |
| 5 | | | | assaulting/obstructing | |
| 6 | | | | director or authorized | |
| 7 | | | | representative | 2 |
| 8 | 290.650b(3) | Pub trst | H | Motor fuels violations | 2 |

9 SEC. 12A. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES

10 ENUMERATED IN CHAPTERS 200 TO 219 OF THE MICHIGAN COMPILED LAWS:

| 11 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
|----|---------------|-----------------|--------------|---------------------------|-----------------|
| 12 | 205.27(1)(A) | PUB TRST | G | FAILURE TO FILE OR FALSE | |
| 13 | | | | TAX RETURN OR PAYMENT | 5 |
| 14 | 205.27(1)(B) | PUB TRST | G | AIDING AND ABETTING TAX | |
| 15 | | | | EVASION OR FILING FALSE | |
| 16 | | | | RETURNS | 5 |
| 17 | 205.27(1)(C) | PUB TRST | G | MAKING/PERMITTING FALSE | |
| 18 | | | | TAX RETURNS OR PAYMENTS | 5 |
| 19 | 205.27(3) | PUB TRST | G | FALSE TAX RETURNS/PERJURY | 15 |
| 20 | 205.28(1)(E) | PUB TRST | G | STATE EMPLOYEE COMPROMIS- | |
| 21 | | | | ING TAXES | 5 |
| 22 | 205.28(1)(F) | PUB TRST | G | UNAUTHORIZED DISCLOSURE | |
| 23 | | | | OF TAX INFORMATION | 5 |
| 24 | 205.428(2) | PUB TRST | G | TOBACCO PRODUCTS TAX ACT | |
| 25 | | | | VIOLATIONS | 5 |
| 26 | 205.428(3) | PUB TRST | G | ILLEGAL SALE OF CIGA- | |
| 27 | | | | RETTES OR OTHER TOBACCO | |
| 28 | | | | PRODUCTS WITH WHOLESALE | |
| 29 | | | | PRICE OF \$250.00 OR | |
| 30 | | | | MORE | 5 |
| 31 | 205.428(6) | PUB TRST | F | ILLEGAL TOBACCO STAMP OR | |
| 32 | | | | TOBACCO STAMP DEVICE | 10 |
| 33 | 205.428(7) | PUB TRST | G | ILLEGAL VENDING MACHINE | |
| 34 | | | | LICENSE, DISK, OR | |
| 35 | | | | MARKER | 5 |
| 36 | 207.118A | PUB ORD | G | GASOLINE TAX -- | |
| 37 | | | | EMBEZZLEMENT OVER \$100 | 10 |

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|---|------------|----------|---|---------------------------|----|
| 1 | 207.119 | PUB TRST | G | GASOLINE OR MOTOR FUEL | |
| 2 | | | | TAX VIOLATION | 4 |
| 3 | 207.127C | PUB ORD | G | DIESEL FUEL TAX -- EMBEZ- | |
| 4 | | | | ZLEMENT OVER \$100 | 10 |
| 5 | 207.754(3) | PUB TRST | G | STATE TREASURER -- MUNIC- | |
| 6 | | | | IPALITY TAX -- DIVULG- | |
| 7 | | | | ING CONFIDENTIAL | |
| 8 | | | | INFORMATION | 5 |

9 SEC. 12B. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 10 ENUMERATED IN CHAPTERS 220 TO 256 OF THE MICHIGAN COMPILED LAWS:

| 11 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
|----|---------|----------|-------|----------------------|----------|
| 12 | 252.311 | PROPERTY | H | DESTROYING A TREE OR | |
| 13 | | | | SHRUB TO MAKE A SIGN | |
| 14 | | | | MORE VISIBLE | 2 |

15 SEC. 12C. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 16 ENUMERATED IN CHAPTERS I AND II OF THE MICHIGAN VEHICLE CODE,
 17 1949 PA 300, WITHIN CHAPTER 257 OF THE MICHIGAN COMPILED LAWS:

| 18 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
|----|-------------|----------|-------|---------------------------|----------|
| 19 | 257.233A(7) | PUB ORD | G | ODOMETER TAMPERING | 5 |
| 20 | 257.254 | PROPERTY | E | POSSESSING STOLEN VEHICLE | |
| 21 | | | | TITLE | 10 |
| 22 | 257.257(1) | PROPERTY | G | ALTERING OR FORGING VEHI- | |
| 23 | | | | CLE DOCUMENTS -- FIRST | |
| 24 | | | | OFFENSE | 5 |
| 25 | 257.257(2) | PROPERTY | G | ALTERING OR FORGING VEHI- | |
| 26 | | | | CLE DOCUMENTS -- SECOND | |
| 27 | | | | OFFENSE | 7 |
| 28 | 257.257(3) | PROPERTY | E | ALTERING OR FORGING VEHI- | |
| 29 | | | | CLE DOCUMENTS -- THIRD | |
| 30 | | | | OR SUBSEQUENT OFFENSE | 15 |

31 SEC. 12D. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 32 ENUMERATED IN CHAPTERS III, IV, AND V OF THE MICHIGAN VEHICLE
 33 CODE, 1949 PA 300, WITHIN CHAPTER 257 OF THE MICHIGAN COMPILED
 34 LAWS:

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| | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
|----|--|-----------------|--------------|--|-----------------|
| 1 | | | | | |
| 2 | 257.309(6) | PUB ORD | F | CORRUPTING AN EXAMINING OFFICER | 5 |
| 3 | | | | | |
| 4 | 257.309(7) | PUB ORD | F | DEVIATING FROM ROAD TEST CRITERIA | 5 |
| 5 | | | | | |
| 6 | 257.309(8) | PUB ORD | F | FORGING, COUNTERFEITING, OR ALTERING ROAD TEST CERTIFICATION | 5 |
| 7 | | | | | |
| 8 | | | | | |
| 9 | 257.312B(6) | PUB ORD | F | CORRUPTING A PERSON OR AGENCY CONDUCTING A MOTORCYCLE DRIVING TEST | 5 |
| 10 | | | | | |
| 11 | | | | | |
| 12 | 257.312B(7) | PUB ORD | F | DEVIATING FROM MOTORCYCLE ROAD TEST CRITERIA | 5 |
| 13 | | | | | |
| 14 | 257.312B(8) | PUB ORD | F | FORGING, COUNTERFEITING, OR ALTERING MOTORCYCLE ROAD TEST CERTIFICATION | 5 |
| 15 | | | | | |
| 16 | | | | | |
| 17 | 257.329(1) | PROPERTY | G | POSSESSION/SALE OF STOLEN OR COUNTERFEIT INSURANCE CERTIFICATES | 5 |
| 18 | | | | | |
| 19 | | | | | |
| 20 | 257.329(2) | PROPERTY | E | POSSESSION/SALE OF STOLEN OR COUNTERFEIT INSURANCE CERTIFICATES -- SECOND OFFENSE | 7 |
| 21 | | | | | |
| 22 | | | | | |
| 23 | | | | | |
| 24 | 257.329(3) | PROPERTY | E | POSSESSION/SALE OF STOLEN OR COUNTERFEIT INSURANCE CERTIFICATES -- THIRD OR SUBSEQUENT OFFENSE | 15 |
| 25 | | | | | |
| 26 | | | | | |
| 27 | | | | | |
| 28 | | | | | |
| 29 | SEC. 12E. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES | | | | |
| 30 | ENUMERATED IN SECTIONS 601 TO 624B OF CHAPTER VI OF THE MICHIGAN | | | | |
| 31 | VEHICLE CODE, 1949 PA 300, WITHIN CHAPTER 257 OF THE MICHIGAN | | | | |
| 32 | COMPILED LAWS: | | | | |
| 33 | | | | | |
| 34 | 257.601B(3) | PERSON | C | MOVING VIOLATION CAUSING DEATH TO CONSTRUCTION WORKER | 15 |
| 35 | | | | | |
| 36 | | | | | |

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|----|-------------|---------|---|--------------------------|----|
| 1 | 257.601C(2) | PERSON | C | MOVING VIOLATION CAUSING | |
| 2 | | | | DEATH TO OPERATOR OF | |
| 3 | | | | IMPLEMENT OF HUSBANDRY | 15 |
| 4 | 257.602A(2) | PUB SAF | G | FLEEING AND ELUDING -- | |
| 5 | | | | FOURTH DEGREE | 2 |
| 6 | 257.602A(3) | PUB SAF | E | FLEEING AND ELUDING -- | |
| 7 | | | | THIRD DEGREE | 5 |
| 8 | 257.602A(4) | PERSON | D | FLEEING AND ELUDING -- | |
| 9 | | | | SECOND DEGREE | 10 |
| 10 | 257.602A(5) | PERSON | C | FLEEING AND ELUDING -- | |
| 11 | | | | FIRST DEGREE | 15 |
| 12 | 257.617(2) | PERSON | E | FAILURE TO STOP AT SCENE | |
| 13 | | | | OF ACCIDENT RESULTING | |
| 14 | | | | IN SERIOUS IMPAIRMENT | |
| 15 | | | | OR DEATH | 5 |
| 16 | 257.617(3) | PERSON | C | FAILURE TO STOP AT SCENE | |
| 17 | | | | OF ACCIDENT RESULTING | |
| 18 | | | | IN DEATH WHEN AT FAULT | 15 |

19 SEC. 12F. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 20 ENUMERATED IN SECTIONS 625 TO 625o OF CHAPTER VI OF THE MICHIGAN
 21 VEHICLE CODE, 1949 PA 300, WITHIN CHAPTER 257 OF THE MICHIGAN
 22 COMPILED LAWS:

| 23 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
|----|-------------------|-----------------|--------------|---------------------------|-----------------|
| 24 | 257.625(4)(A) | PERSON | C | OPERATING A VEHICLE UNDER | |
| 25 | | | | THE INFLUENCE OR WHILE | |
| 26 | | | | IMPAIRED CAUSING DEATH | 15 |
| 27 | 257.625(4)(B) | PERSON | B | OPERATING A VEHICLE UNDER | |
| 28 | | | | THE INFLUENCE OR WHILE | |
| 29 | | | | IMPAIRED CAUSING DEATH | |
| 30 | | | | TO CERTAIN PERSONS | 20 |
| 31 | 257.625(5) | PERSON | E | OPERATING A VEHICLE UNDER | |
| 32 | | | | THE INFLUENCE OR WHILE | |
| 33 | | | | IMPAIRED CAUSING SERI- | |
| 34 | | | | OUS IMPAIRMENT | 5 |
| 35 | 257.625(7)(A)(ii) | PERSON | E | OPERATING A VEHICLE UNDER | |
| 36 | | | | THE INFLUENCE OR WHILE | |
| 37 | | | | IMPAIRED WITH A MINOR | |
| 38 | | | | IN THE VEHICLE -- | |
| 39 | | | | SUBSEQUENT OFFENSE | 5 |

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|----|----------------|---------|---|---------------------------|----|
| 1 | 257.625(8)(C) | PUB SAF | E | OPERATING A VEHICLE UNDER | |
| 2 | | | | THE INFLUENCE -- THIRD | |
| 3 | | | | OR SUBSEQUENT OFFENSE | 5 |
| 4 | 257.625(9)(B) | PERSON | E | ALLOWING A VEHICLE TO BE | |
| 5 | | | | OPERATED WHILE UNDER | |
| 6 | | | | THE INFLUENCE OR | |
| 7 | | | | IMPAIRED CAUSING DEATH | 5 |
| 8 | 257.625(9)(C) | PERSON | G | ALLOWING A VEHICLE TO BE | |
| 9 | | | | OPERATED WHILE UNDER | |
| 10 | | | | THE INFLUENCE OR | |
| 11 | | | | IMPAIRED CAUSING SERI- | |
| 12 | | | | OUS IMPAIRMENT | 2 |
| 13 | 257.625(10)(C) | PUB SAF | E | IMPAIRED DRIVING -- THIRD | |
| 14 | | | | OR SUBSEQUENT OFFENSE | 5 |
| 15 | 257.625K(7) | PUB SAF | D | KNOWINGLY PROVIDING FALSE | |
| 16 | | | | INFORMATION CONCERNING | |
| 17 | | | | AN IGNITION INTERLOCK | |
| 18 | | | | DEVICE | 10 |
| 19 | 257.625K(9) | PUB SAF | D | FAILURE TO REPORT ILLEGAL | |
| 20 | | | | IGNITION INTERLOCK | |
| 21 | | | | DEVICE | 10 |
| 22 | 257.625M(5) | PUB SAF | E | COMMERCIAL DRUNK DRIVING | |
| 23 | | | | -- THIRD OR SUBSEQUENT | |
| 24 | | | | OFFENSE | 5 |

25 SEC. 12G. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 26 ENUMERATED IN SECTIONS 626 TO 750 OF CHAPTER VI OF THE MICHIGAN
 27 VEHICLE CODE, 1949 PA 300, WITHIN CHAPTER 257 OF THE MICHIGAN
 28 COMPILED LAWS:

| 29 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
|----|---------------|-----------------|--------------|-------------------------|-----------------|
| 30 | 257.626C | PERSON | G | FELONIOUS DRIVING | 2 |
| 31 | 257.653A(3) | PERSON | G | FAILURE TO USE DUE CARE | |
| 32 | | | | AND CAUTION CAUSING | |
| 33 | | | | INJURY TO EMERGENCY | |
| 34 | | | | PERSONNEL | 2 |
| 35 | 257.653A(4) | PERSON | C | FAILURE TO USE DUE CARE | |
| 36 | | | | AND CAUTION CAUSING | |
| 37 | | | | DEATH TO EMERGENCY | |
| 38 | | | | PERSONNEL | 15 |

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1 257.744A PUB SAF D FALSE STATEMENT IN
 2 CITATION -- PERJURY 15

3 SEC. 12H. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 4 ENUMERATED IN CHAPTERS VII, VIII, AND IX OF THE MICHIGAN VEHICLE
 5 CODE, 1949 PA 300, WITHIN CHAPTER 257 OF THE MICHIGAN COMPILED
 6 LAWS:

| 7 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT | MAX |
|----|------------|----------|-------|---------------------------|------|-----|
| 8 | 257.902 | PUB SAF | E | MOTOR VEHICLE CODE | | |
| 9 | | | | VIOLATIONS | | 5 |
| 10 | 257.903(1) | PROPERTY | E | MOTOR VEHICLE CODE -- | | |
| 11 | | | | FALSE CERTIFICATION -- | | |
| 12 | | | | FIRST OFFENSE | | 5 |
| 13 | 257.903(2) | PROPERTY | E | MOTOR VEHICLE CODE -- | | |
| 14 | | | | FALSE CERTIFICATION -- | | |
| 15 | | | | SECOND OFFENSE | | 7 |
| 16 | 257.903(3) | PROPERTY | D | MOTOR VEHICLE CODE -- | | |
| 17 | | | | FALSE CERTIFICATION -- | | |
| 18 | | | | THIRD OR SUBSEQUENT | | |
| 19 | | | | OFFENSE | | 15 |
| 20 | 257.904(4) | PERSON | C | OPERATING A VEHICLE WITH- | | |
| 21 | | | | OUT A LICENSE CAUSING | | |
| 22 | | | | DEATH | | 15 |
| 23 | 257.904(5) | PERSON | E | OPERATING A VEHICLE WITH- | | |
| 24 | | | | OUT A LICENSE CAUSING | | |
| 25 | | | | SERIOUS IMPAIRMENT | | 5 |
| 26 | 257.904(7) | PERSON | G | ALLOWING A VEHICLE TO BE | | |
| 27 | | | | OPERATED WITHOUT A | | |
| 28 | | | | LICENSE CAUSING SERIOUS | | |
| 29 | | | | IMPAIRMENT | | 2 |
| 30 | | PERSON | E | ALLOWING A VEHICLE TO BE | | |
| 31 | | | | OPERATED WITHOUT A | | |
| 32 | | | | LICENSE CAUSING DEATH | | 5 |

33 SEC. 12J. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 34 ENUMERATED IN CHAPTER 257 OF THE MICHIGAN COMPILED LAWS BEGINNING
 35 WITH MCL 257.941:

| 36 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT | MAX |
|----|--------|----------|-------|-------------|------|-----|
|----|--------|----------|-------|-------------|------|-----|

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| | | | | | |
|----|-------------|----------|---|--------------------------|---|
| 1 | 257.1353(2) | PUB TRST | H | MOTOR VEHICLE -- FAIL TO | |
| 2 | | | | RECORD MATERIAL MATTER | |
| 3 | | | | -- SUBSEQUENT OFFENSE | 2 |
| 4 | 257.1354(2) | PUB TRST | H | MOTOR VEHICLE -- GENERAL | |
| 5 | | | | VIOLATIONS -- SUBSE- | |
| 6 | | | | QUENT OFFENSE | 2 |
| 7 | 257.1355 | PUB TRST | H | MOTOR VEHICLE -- FAIL TO | |
| 8 | | | | RECORD | |
| 9 | | | | TRANSACTION/FALSIFY | |
| 10 | | | | RECORDS | 2 |

11 SEC. 12K. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 12 ENUMERATED IN CHAPTERS 258 TO 260 OF THE MICHIGAN COMPILED LAWS:

| 13 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
|----|---------------|----------|-------|--------------------------|----------|
| 14 | 259.80F(3) | PUB SAF | D | POSSESSING WEAPON IN | |
| 15 | | | | STERILE AREA OF COMMER- | |
| 16 | | | | CIAL AIRPORT | 10 |
| 17 | 259.83(2)(B) | PUB SAF | G | AIRCRAFT -- FAILURE TO | |
| 18 | | | | COMPLY WITH CERTIFICA- | |
| 19 | | | | TION REQUIREMENTS -- | |
| 20 | | | | SECOND VIOLATION | 2 |
| 21 | 259.83(2)(C) | PUB SAF | F | AIRCRAFT -- FAILURE TO | |
| 22 | | | | COMPLY WITH CERTIFICA- | |
| 23 | | | | TION REQUIREMENTS -- | |
| 24 | | | | THIRD OR SUBSEQUENT | |
| 25 | | | | VIOLATION | 4 |
| 26 | 259.83B(2)(A) | PUB SAF | F | CONDUCTING FLIGHT OPERA- | |
| 27 | | | | TIONS WITHOUT | |
| 28 | | | | CERTIFICATE | 4 |
| 29 | 259.83B(2)(B) | PUB SAF | E | CONDUCTING FLIGHT OPERA- | |
| 30 | | | | TIONS WITHOUT CERTIFI- | |
| 31 | | | | CATE -- SECOND | |
| 32 | | | | VIOLATION | 5 |
| 33 | 259.83B(2)(C) | PUB SAF | D | CONDUCTING FLIGHT OPERA- | |
| 34 | | | | TIONS WITHOUT CERTIFI- | |
| 35 | | | | CATE -- THIRD OR SUBSE- | |
| 36 | | | | QUENT VIOLATION | 10 |
| 37 | 259.183 | PROPERTY | E | AIRCRAFT -- UNLAWFUL | |
| 38 | | | | TAKING OR TAMPERING | 5 |
| 39 | 259.185(4) | PERSON | C | OPERATING OR SERVING AS | |
| 40 | | | | CREW OF AIRCRAFT WHILE | |

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| | | | | | |
|----|--|-----------------|--------------|--------------------------|-----------------|
| 1 | | | | UNDER THE INFLUENCE | |
| 2 | | | | CAUSING DEATH | 15 |
| 3 | 259.185(5) | PERSON | E | OPERATING OR SERVING AS | |
| 4 | | | | CREW OF AIRCRAFT WHILE | |
| 5 | | | | UNDER THE INFLUENCE | |
| 6 | | | | CAUSING SERIOUS | |
| 7 | | | | IMPAIRMENT | 5 |
| 8 | 259.185(8) | PUB SAF | E | OPERATING OR SERVING AS | |
| 9 | | | | CREW OF AIRCRAFT WHILE | |
| 10 | | | | UNDER THE INFLUENCE -- | |
| 11 | | | | THIRD OR SUBSEQUENT | |
| 12 | | | | OFFENSE | 5 |
| 13 | SEC. 12M. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES | | | | |
| 14 | ENUMERATED IN CHAPTERS 285 TO 289 OF THE MICHIGAN COMPILED LAWS: | | | | |
| 15 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
| 16 | 285.82 | PUB TRST | H | GRAIN DEALERS ACT | |
| 17 | | | | VIOLATIONS | 5 |
| 18 | 285.279(2)(C) | PROPERTY | E | FALSE PRETENSES UNDER | |
| 19 | | | | MICHIGAN FAMILY FARM | |
| 20 | | | | DEVELOPMENT ACT INVOLV- | |
| 21 | | | | ING \$1,000 TO \$20,000 | |
| 22 | | | | OR WITH PRIOR | |
| 23 | | | | CONVICTIONS | 5 |
| 24 | 285.279(2)(D) | PROPERTY | D | FALSE PRETENSES UNDER | |
| 25 | | | | MICHIGAN FAMILY FARM | |
| 26 | | | | DEVELOPMENT ACT INVOLV- | |
| 27 | | | | ING \$20,000 OR MORE OR | |
| 28 | | | | WITH PRIOR CONVICTIONS | 10 |
| 29 | 286.455(2) | PUB SAF | G | AGRICULTURE -- HAZARDOUS | |
| 30 | | | | SUBSTANCE | 5 |
| 31 | 286.929(4) | PUB TRST | G | ORGANIC PRODUCTS ACT | |
| 32 | | | | VIOLATIONS | 4 |
| 33 | 287.323(1) | PERSON | C | DANGEROUS ANIMAL CAUSING | |
| 34 | | | | DEATH | 15 |
| 35 | 287.323(2) | PERSON | G | DANGEROUS ANIMAL CAUSING | |
| 36 | | | | SERIOUS INJURY | 4 |
| 37 | 287.679 | PUB ORD | H | DEAD ANIMALS -- THIRD OR | |
| 38 | | | | SUBSEQUENT VIOLATION | 1 |
| 39 | 287.744(1) | PUB ORD | G | ANIMAL INDUSTRY ACT | |
| 40 | | | | VIOLATIONS | 5 |

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|----|-------------|----------|---|---------------------------|---|
| 1 | 287.855 | PUB SAF | G | AGRICULTURE -- | |
| 2 | | | | CONTAMINATING | |
| 3 | | | | LIVESTOCK/FALSE | |
| 4 | | | | STATEMENT/VIOLATION OF | |
| 5 | | | | QUARANTINE | 5 |
| 6 | 287.967(5) | PUB ORD | G | CERVIDAE PRODUCER | |
| 7 | | | | VIOLATIONS | 4 |
| 8 | 288.223 | PUB SAF | G | SALE OR LABELING OF OLEO- | |
| 9 | | | | MARGARINE VIOLATIONS | 3 |
| 10 | 288.257 | PUB SAF | G | MARGARINE VIOLATIONS | 3 |
| 11 | 288.284 | PUB TRST | H | SELLING FALSELY BRANDED | |
| 12 | | | | CHEESE | 2 |
| 13 | 289.5107(2) | PUB SAF | F | ADULTERATED, MISBRANDED, | |
| 14 | | | | OR FALSELY IDENTIFIED | |
| 15 | | | | FOOD | 4 |

16 SEC. 12N. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 17 ENUMERATED IN CHAPTERS 290 TO 299 OF THE MICHIGAN COMPILED LAWS:

| 18 | M.C.L. | CATEGORY | CLASS | DESCRIPTION | STAT MAX |
|----|-------------|----------|-------|-------------------------|----------|
| 19 | 290.629(1) | PERSON | G | WEIGHTS AND MEASURES -- | |
| 20 | | | | ASSAULTS ENFORCEMENT | |
| 21 | | | | OFFICER | 2 |
| 22 | 290.631(3) | PUB TRST | G | WEIGHTS AND MEASURES | 5 |
| 23 | 290.650 | PERSON | G | MOTOR FUELS -- | |
| 24 | | | | ASSAULTING/OBSTRUCTING | |
| 25 | | | | DIRECTOR OR AUTHORIZED | |
| 26 | | | | REPRESENTATIVE | 2 |
| 27 | 290.650B(3) | PUB TRST | H | MOTOR FUELS VIOLATIONS | 2 |

28 Enacting section 1. Except as provided in enacting section
 29 2, this amendatory act takes effect April 1, 2002.

30 Enacting section 2. Section 1 of chapter XVII of the code
 31 of criminal procedure, 1927 PA 175, MCL 777.1, as amended by this
 32 amendatory act, takes effect May 15, 2002.