

HOUSE BILL No. 4840

May 30, 2001, Introduced by Reps. Schauer, Lipsey, Richardville, Neumann, Minore, Bovin and Dennis and referred to the Committee on Criminal Justice.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 626 (MCL 257.626).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 626. (1) ~~(a) Any~~ A person who drives ~~any~~ A vehicle
2 upon a highway or a frozen public lake, stream, or pond or other
3 place open to the general public, including ~~any~~ AN area desig-
4 nated for the parking of motor vehicles, within this state, in
5 ~~wilful~~ WILLFUL or wanton disregard for the safety of persons or
6 property is guilty of reckless driving.

7 (2) ~~(b) Every~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS
8 (3) AND (4), A person convicted of reckless driving ~~shall be~~
9 ~~punished~~ IS GUILTY OF A MISDEMEANOR PUNISHABLE by imprisonment
10 ~~in the county or municipal jail~~ for ~~a period of~~ not more than
11 90 days or ~~by~~ a fine of not more than \$100.00, or ~~by~~ both.

1 (3) A PERSON WHO OPERATES A MOTOR VEHICLE IN VIOLATION OF
2 SUBSECTION (1) AND BY THE OPERATION OF THAT MOTOR VEHICLE CAUSES
3 INJURY TO A MINOR WHO IS A PASSENGER IN A SCHOOL BUS OR PUPIL
4 TRANSPORTATION VEHICLE, OTHER THAN SERIOUS IMPAIRMENT OF A BODY
5 FUNCTION, IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT
6 FOR NOT MORE THAN 6 MONTHS OR A FINE OF NOT MORE THAN \$500.00, OR
7 BOTH.

8 (4) A PERSON WHO OPERATES A MOTOR VEHICLE IN VIOLATION OF
9 SUBSECTION (1) AND BY THE OPERATION OF THAT MOTOR VEHICLE CAUSES
10 A SERIOUS IMPAIRMENT OF A BODY FUNCTION OR DEATH TO A MINOR WHO
11 IS A PASSENGER IN A SCHOOL BUS OR PUPIL TRANSPORTATION VEHICLE IS
12 GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 7
13 YEARS OR BY A FINE OF NOT LESS THAN \$2,000.00 OR MORE THAN
14 \$5,000.00, OR BOTH. AS USED IN THIS SUBSECTION, "SERIOUS IMPAIR-
15 MENT OF A BODY FUNCTION" INCLUDES, BUT IS NOT LIMITED TO, 1 OR
16 MORE OF THE FOLLOWING:

17 (A) LOSS OF A LIMB OR USE OF A LIMB.

18 (B) LOSS OF A HAND, FOOT, FINGER, OR THUMB OR USE OF A HAND,
19 FOOT, FINGER, OR THUMB.

20 (C) LOSS OF AN EYE OR EAR OR USE OF AN EYE OR EAR.

21 (D) LOSS OR SUBSTANTIAL IMPAIRMENT OF A BODILY FUNCTION.

22 (E) SERIOUS VISIBLE DISFIGUREMENT.

23 (F) A COMATOSE STATE THAT LASTS FOR MORE THAN 3 DAYS.

24 (G) MEASURABLE BRAIN DAMAGE OR MENTAL IMPAIRMENT.

25 (H) A SKULL FRACTURE OR OTHER SERIOUS BONE FRACTURE.

26 (I) SUBDURAL HEMORRHAGE OR SUBDURAL HEMATOMA.

1 (5) THIS SECTION DOES NOT PROHIBIT A PERSON FROM BEING
2 CHARGED WITH, CONVICTED OF, OR SENTENCED FOR ANY OTHER VIOLATION
3 OF LAW ARISING OUT OF THE SAME TRANSACTION AS THE VIOLATION OF
4 THIS SECTION.