

HOUSE BILL No. 5080

October 15, 2013, Introduced by Reps. McBroom and Nathan and referred to the Committee on Criminal Justice.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601c (MCL 257.601c), as added by 2001 PA 103.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 601c. (1) A person who commits a moving violation that
2 has criminal penalties and as a result causes injury to a
3 **VULNERABLE ROADWAY USER OR** person operating an implement of
4 husbandry on a highway in compliance with this act is guilty of a
5 misdemeanor punishable by imprisonment for not more than 1 year or
6 a fine of not more than \$1,000.00, or both.

7 (2) A person who commits a moving violation that has criminal
8 penalties and as a result causes death to a **VULNERABLE ROADWAY USER**
9 **OR** person operating an implement of husbandry on a highway in
10 compliance with this act is guilty of a felony punishable by

1 imprisonment for not more than 15 years or a fine of not more than
2 \$7,500.00, or both.

3 (3) As used in this section: ~~,"moving~~

4 (A) "MOVING violation" means an act or omission prohibited
5 under this act or a local ordinance substantially corresponding to
6 this act that occurs while a person is operating a motor vehicle,
7 and for which the person is subject to a fine.

8 (B) "TRANSPORTATION DEVICE" MEANS A DEVICE IN, UPON, OR BY
9 WHICH ANY PERSON OR PROPERTY, OR BOTH, IS OR MAY BE TRANSPORTED OR
10 DRAWN UPON A HIGHWAY BY HUMAN POWER, OR AN ELECTRICAL PROPULSION
11 SYSTEM WITH AVERAGE POWER OF 750 WATTS OR 1 HORSEPOWER AND A
12 MAXIMUM SPEED ON A PAVED LEVEL SURFACE OF NOT MORE THAN 20 MILES
13 PER HOUR, AND THAT IS REGULATED UNDER THIS ACT. TRANSPORTATION
14 DEVICE INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

15 (i) A CYCLE WITH 1 OR MORE WHEELS, INCLUDING, BUT NOT LIMITED
16 TO, A BICYCLE, OR AN ELECTRIC BICYCLE THAT MEETS THE REQUIREMENTS
17 OF THIS SUBDIVISION.

18 (ii) AN ELECTRIC WHEELCHAIR THAT MEETS THE REQUIREMENTS OF THIS
19 SUBDIVISION.

20 (C) "VULNERABLE ROADWAY USER" MEANS A PEDESTRIAN, A WHEELCHAIR
21 USER, OR A PERSON OPERATING A TRANSPORTATION DEVICE IN COMPLIANCE
22 WITH THIS ACT.