

SUBSTITUTE FOR
HOUSE BILL NO. 4918

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 81g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 81g. (1) Except as otherwise provided in this section, a
2 person who assaults, or assaults and batters, an individual while
3 the individual is performing the individual's duties as the
4 operator of a bus, street railway vehicle, or train, or because of
5 the individual's status as an employee or contractor of a bus
6 service, street railway service, or railroad, is guilty of a
7 misdemeanor punishable by imprisonment for not more than 93 days, a
8 fine of not more than \$1,000.00, or both.

9 (2) Except as otherwise provided in this section, a person who

1 assaults an individual without a weapon and inflicts serious or
2 aggravated injury on that individual without intending to commit
3 murder or to inflict great bodily harm less than murder while the
4 individual is performing the individual's duties as the operator of
5 a bus, street railway vehicle, or train, or because of the
6 individual's status as an employee or contractor of a bus service,
7 street railway service, or railroad, is guilty of a misdemeanor
8 punishable by imprisonment for not more than 1 year, a fine of not
9 more than \$2,000.00, or both.

10 (3) Except as otherwise provided in this section, a person who
11 assaults an individual with a gun, revolver, pistol, knife, iron
12 bar, club, brass knuckles, or other dangerous weapon without
13 intending to commit murder or to inflict great bodily harm less
14 than murder while the individual is performing the individual's
15 duties as the operator of a bus, street railway vehicle, or train,
16 or because of the individual's status as an employee or contractor
17 of a bus service, street railway service, or railroad, is guilty of
18 a felony punishable by imprisonment for not more than 4 years, a
19 fine of not more than \$4,000.00, or both.

20 (4) A person who violates subsection (1) and has a prior
21 conviction under this section is guilty of a misdemeanor punishable
22 by imprisonment for not more than 180 days, a fine of not more than
23 \$2,000.00, or both.

24 (5) A person who violates subsection (2) and has a prior
25 conviction under this section is guilty of a felony punishable by
26 imprisonment for not more than 2 years, a fine of not more than
27 \$4,000.00, or both.

28 (6) A person who violates subsection (3) and has a prior
29 conviction under this section is guilty of a felony punishable by

1 imprisonment for not more than 8 years, a fine of not more than
2 \$8,000.00, or both.

3 (7) This section does not prohibit a person from being charged
4 with, convicted of, or punished for any other violation of law
5 arising out of the same transaction as the violation of this
6 section.

7 (8) As used in this section:

8 (a) "Bus" means that term as defined in section 4b of the
9 Michigan vehicle code, 1949 PA 300, MCL 257.4b.

10 (b) "Railroad" means that term as defined in section 109 of
11 the railroad code of 1993, 1993 PA 354, MCL 462.109.

12 (c) "Street railway service" means 1 or both of the following:

13 (i) A street railway as that term is defined in section 109 of
14 the railroad code of 1993, 1993 PA 354, MCL 462.109.

15 (ii) A street railway system as that term is defined in section
16 507 of the recodified tax increment financing act, 2018 PA 57, MCL
17 125.4507.

18 (d) "Street railway vehicle" means a streetcar, trolley, or
19 tram that is operated on a rail.

20 (e) "Train" means railroad train as that term is defined in
21 section 49 of the Michigan vehicle code, 1949 PA 300, MCL 257.49.

22 Enacting section 1. This amendatory act takes effect 90 days
23 after the date it is enacted into law.