

SENATE BILL No. 11

January 24, 1991, Introduced by Senator WELBORN and referred to the Committee on Judiciary.

A bill to amend section 7408 of Act No. 368 of the Public Acts of 1978, entitled as amended
"Public health code,"
being section 333.7408 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 7408 of Act No. 368 of the Public Acts
2 of 1978, being section 333.7408 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 7408. (1) A penalty imposed for violation of this
5 article is in addition to, and not in lieu of, a civil or admin-
6 istrative penalty or sanction otherwise authorized by law.

7 (2) IF A PERSON IS CONVICTED OR FOUND TO BE WITHIN THE PRO-
8 VISIONS OF CHAPTER XIIA OF ACT NO. 288 OF THE PUBLIC ACTS OF
9 1939, BEING SECTIONS 712A.1 TO 712A.28 OF THE MICHIGAN COMPILED
10 LAWS, FOR A VIOLATION OF SECTION 7401, 7402, 7403, 7404, 7405,

1 7406, 7407, OR 7416, IN ADDITION TO ANY OTHER PENALTY IMPOSED,
2 THE COURT SHALL ORDER THE SECRETARY OF STATE TO SUSPEND THE
3 PERSON'S OPERATOR'S OR CHAUFFEUR'S LICENSE AS FOLLOWS:

4 (A) IF THE PERSON HAS NO PREVIOUS CONVICTIONS OR PROBATE
5 COURT DISPOSITIONS FOR A VIOLATION LISTED IN THIS SUBSECTION, FOR
6 A PERIOD OF 30 DAYS.

7 (B) IF THE PERSON HAS 1 PREVIOUS CONVICTION OR PROBATE COURT
8 DISPOSITION FOR A VIOLATION LISTED IN THIS SUBSECTION, FOR A
9 PERIOD OF 90 DAYS.

10 (C) IF THE PERSON HAS 2 OR MORE PREVIOUS CONVICTIONS OR PRO-
11 BATE COURT DISPOSITIONS FOR 1 OR MORE OF THE VIOLATIONS LISTED IN
12 THIS SUBSECTION, FOR A PERIOD OF 6 MONTHS.

13 (3) THE PERSON WHOSE OPERATOR'S OR CHAUFFEUR'S LICENSE IS
14 ORDERED SUSPENDED UNDER SUBSECTION (2) SHALL IMMEDIATELY SURREN-
15 DER THE LICENSE TO THE COURT, AND THE COURT SHALL IMMEDIATELY
16 FORWARD THE LICENSE AND A RECORD OF THE CONVICTION OR PROBATE
17 COURT DISPOSITION TO THE SECRETARY OF STATE.

18 Section 2. This amendatory act shall not take effect unless
19 Senate Bill No. 10

20 of the 86th Legislature is enacted into law.