



HOUSE BILL No. 4619

April 20, 1993, Introduced by Reps. Dalman, Brackenridge, London, McNutt, DeLange, Whyman, Rhead, Gernaat, Harder, Pitoniak, Fitzgerald, Lowe and Middaugh and referred to the Committee on Judiciary.

A bill to amend section 904b of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 98 of the Public Acts of 1991, being section 257.904b of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 904b of Act No. 300 of the Public Acts
2 of 1949, as amended by Act No. 98 of the Public Acts of 1991,
3 being section 257.904b of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 904b. (1) When a person is convicted OF AN OFFENSE
6 PUNISHABLE under section ~~904(1)~~ of 904(1)(B) OR (C) OR A LOCAL
7 ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 904(1)(B) OR (C)
8 FOR operating a motor vehicle while his or her license to operate
9 a motor vehicle is suspended, revoked, or denied, ~~the motor~~

1 ~~vehicle, if it is owned in whole or in part by that person, shall~~
2 ~~be ordered~~ THE COURT SHALL ORDER THE MOTOR VEHICLE impounded for
3 not less than 30 or more than 120 days from the date of
4 judgment.

5 (2) WHEN A PERSON IS CONVICTED OF AN OFFENSE PUNISHABLE
6 UNDER SECTION 904(1)(A) OR A LOCAL ORDINANCE SUBSTANTIALLY CORRE-
7 SPONDING TO SECTION 904(1)(A) FOR OPERATING A MOTOR VEHICLE WHILE
8 HIS OR HER LICENSE TO OPERATE A MOTOR VEHICLE IS SUSPENDED,
9 REVOKED, OR DENIED, THE COURT MAY ORDER THE MOTOR VEHICLE
10 IMPOUNDED FOR NOT LESS THAN 30 OR MORE THAN 120 DAYS FROM THE
11 DATE OF JUDGMENT.

12 (3) ~~(2)~~ An order ~~of impoundment~~ FOR THE IMPOUNDING OF A
13 MOTOR VEHICLE issued pursuant to ~~subsection (1)~~ THIS SECTION is
14 valid throughout the state. Any peace officer may execute the
15 impoundment order. The order shall include the implied consent
16 of the owner of the vehicle to the storage for insurance coverage
17 purposes.

18 (4) ~~(3)~~ The owner of a motor vehicle impounded pursuant to
19 this section is liable for expenses incurred in the removal and
20 storage of the vehicle whether or not the vehicle is returned to
21 him or her. The vehicle shall be returned to the owner only if
22 the owner pays the expenses for removal and storage. If redemp-
23 tion is not made or the vehicle is not returned as provided in
24 this section within 30 days after the time set in the impoundment
25 order for return of the vehicle, the vehicle shall be considered
26 an abandoned vehicle and disposed of as provided in section ~~252~~
27 252A.

1 (5) ~~(4)~~ Nothing in this section affects the rights of a
2 conditional vendor, chattel mortgagee or lessor of a motor vehi-
3 cle registered in the name of another person as owner who becomes
4 subject to this act.