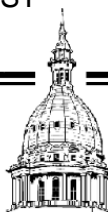




Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 347 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator William Van Regenmorter
Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to expand the situations in which peace officers may make warrantless arrests for drunk driving violations. Currently, a peace officer may make an arrest without a warrant if he or she has reasonable cause to believe a person was the operator of a vehicle involved in an accident and was impaired by or under the influence of liquor. The bill would add situations in which an officer had reasonable cause to believe a person was the operator of a vehicle in violation of the Michigan Vehicle Code's prohibition against minors' drinking and driving or the Code's commercial vehicle drunk driving provisions. The bill also would authorize warrantless arrests if a person were found in the driver's seat of a vehicle parked or stopped on a highway or street within this State if any part of the vehicle were on the roadway and the peace officer had reasonable cause to believe the person was operating the vehicle in violation of the Vehicle Code's drunk driving prohibitions.

The bill is tie-barred to Senate Bill 348, which would make drunk driving amendments to the Vehicle Code, and would take effect on January 1, 1996.

MCL 764.15

Legislative Analyst: S. Margules

FISCAL IMPACT

The bill would have an indeterminate impact on State and local government. If allowing warrantless arrests for additional violations resulted in increased convictions, sanctioning costs would increase. There is no reliable way to predict what impact increasing the number of warrantless arrest offenses would have on convictions.

Date Completed: 5-2-95

Fiscal Analyst: M. Hansen