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SFA

BILL ANALYSIS

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House Bill 5954 (Substitute H-1 as passed by the House)
Sponsor: Representative Bob Brown
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 9-22-98

CONTENT

The bill would amend Public Act 214 of 1931, which prohibits felonious driving, to require that the Secretary of State suspend a person's driver's license as provided in the Michigan Vehicle Code (MCL 257.319) instead of as recommended by the court, for a felonious driving violation under Public Act 214. The bill would take effect on October 1, 1999.

Currently, the Act requires the Secretary of State to suspend a person's license upon the "recommendation of the court imposing sentence". The bill would delete that phrase, and require the Secretary of State to impose a suspension for a violation or attempted violation as provided in Section 319 of the Vehicle Code. (Section 319 of the Vehicle Code specifies license suspension requirements and requires that the Secretary of State suspend a person's license for not less than 90 days or more than two years upon receiving a record of conviction of felonious driving under Public Act 214. House Bill 5951 (H-1), as passed by the House, would amend that provision of the Code to require a one-year license suspension for felonious driving.)

Public Act 214 provides that a person is guilty of felonious driving if he or she drives a vehicle carelessly and heedlessly in wilful and wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner that endangers or is likely to endanger any person or property, and thereby injures a person in a manner that cripples him or her, but does not cause death. Felonious driving is punishable by a maximum fine of \$1,000, up to two years' imprisonment, or both.

The bill is tie-barred to House Bills 4210, 4576, 4959-4961, 5122, 5123, 5951-5953, 5955, and 5956.

MCL 752.192

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: E. Limbs

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.