

SUBSTITUTE FOR  
SENATE BILL NO. 627

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 5a, 8a, 44a, 258, 319, 319b, 602a, and 625m  
(MCL 257.5a, 257.8a, 257.44a, 257.258, 257.319, 257.319b,  
257.602a, and 257.625m), section 8a as amended by 1994 PA 449,  
section 44a as added by 1993 PA 359, sections 319 and 602a as  
amended by 1996 PA 587, section 319b as amended by 1996 PA 404,  
and section 625m as amended by 1996 PA 491, and by adding sec-  
tions 23b and 204b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 5a. "Cancellation" means that a license or registra-  
2 tion is annulled and terminated because of ~~some~~ AN error or  
3 defect or because the licensee or registrant is no longer  
4 entitled to ~~such~~ THE license or registration. ~~, but~~ EXCEPT AS  
5 OTHERWISE PROVIDED IN THIS ACT, the cancellation of a license or

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1 registration is without prejudice and application for a new  
2 license or registration may be made ~~at~~ any time after ~~such~~  
3 cancellation.

4       Sec. 8a. "Conviction" means a final conviction, the payment  
5 of a fine, a plea of guilty or nolo contendere if accepted by the  
6 court, or a finding of guilt for a criminal law violation or a  
7 juvenile adjudication, ~~or~~ probate court disposition, OR JUVENILE  
8 DISPOSITION for a violation that if committed by an adult  
9 would be a crime, regardless of whether the penalty is rebated or  
10 suspended.

11       SEC. 23B. "JUVENILE DISPOSITION" MEANS THE ENTRY OF AN  
12 ORDER OF DISPOSITION FOR A JUVENILE FOUND TO BE WITHIN THE  
13 COURT'S JURISDICTION UNDER CHAPTER XIIIA OF 1939 PA 288, MCL  
14 712A.1 TO 712A.32.

15       Sec. 44a. "Probate court disposition" means the entry of ~~a~~  
16 ~~probate court~~ AN order of disposition for a ~~child~~ JUVENILE  
17 found to be within the ~~provisions of~~ COURT'S JURISDICTION UNDER  
18 chapter XIIIA of ~~Act No. 288 of the Public Acts of 1939, being~~  
19 ~~sections 712A.1 to 712A.28 of the Michigan Compiled Laws~~ 1939 PA  
20 288, MCL 712A.1 TO 712A.32.

21       SEC. 204B. (1) WHEN ASSESSING POINTS, TAKING LICENSING OR  
22 REGISTRATION ACTIONS, OR IMPOSING OTHER SANCTIONS UNDER THIS ACT  
23 FOR A CONVICTION OF AN ATTEMPTED VIOLATION OF A LAW OF THIS  
24 STATE, A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO A LAW OF  
25 THIS STATE, OR A LAW OF ANOTHER STATE SUBSTANTIALLY CORRESPONDING  
26 TO A LAW OF THIS STATE, THE SECRETARY OF STATE OR THE COURT SHALL

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1 TREAT THE CONVICTION THE SAME AS IF IT WERE A CONVICTION FOR THE  
2 COMPLETED OFFENSE.

3 (2) THE COURT SHALL IMPOSE A CRIMINAL PENALTY FOR A CON-  
4 VICTION OF AN ATTEMPTED VIOLATION OF THIS ACT OR A LOCAL ORDI-  
5 NANCE SUBSTANTIALLY CORRESPONDING TO A PROVISION OF THIS ACT IN  
6 THE SAME MANNER AS IF THE OFFENSE HAD BEEN COMPLETED.

7

8 Sec. 258. (1) ~~-(a)-~~ The ~~department~~ SECRETARY OF STATE may  
9 cancel, revoke, or suspend the registration of a vehicle, ~~or~~ a  
10 certificate of title, registration certificate, or registration  
11 plate ~~in~~ IF any of the following ~~events~~ APPLY:

12 (A) ~~-(1) When the department is satisfied~~ THE SECRETARY OF  
13 STATE DETERMINES that ~~such~~ THE registration, ~~or that such~~  
14 certificate of title, or plate was fraudulently or erroneously  
15 issued.

16 (B) ~~-(2) When the department~~ THE SECRETARY OF STATE deter-  
17 mines that the licensee has made or is making an unlawful use of  
18 his OR HER registration certificate, plate, or ~~title~~  
19 certificate OF TITLE.

20 (C) ~~-(3) When a~~ A registered vehicle has been dismantled or  
21 wrecked.

22 (D) ~~-(4) When the department~~ THE SECRETARY OF STATE deter-  
23 mines that the required fee has not been paid and ~~the same~~ IT  
24 is not paid upon reasonable notice or demand.

25 (E) ~~-(5) When a~~ A registration certificate or registration  
26 plate is knowingly displayed upon a vehicle other than the one  
27 for which IT WAS issued.

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1       (F) ~~-(6) When the department-~~ THE SECRETARY OF STATE  
2 determines that the owner has committed ~~-any-~~ AN offense under  
3 this act involving the registration or certificate of title.

4       (G) ~~-(7) When the department-~~ THE SECRETARY OF STATE is ~~-so-~~  
5 authorized TO DO SO under ~~-any other provision of-~~ this act.

6       (H) A COURT ORDERS THE SECRETARY OF STATE TO DO SO UNDER  
7 THIS ACT.

8       (I) ~~-(8) Upon receipt of-~~ RECEIVING notification from  
9 another state or foreign country that a certificate of title  
10 issued by the ~~-department-~~ SECRETARY OF STATE has been surren-  
11 dered by the owner in conformity with the laws of ~~-such other-~~  
12 THAT state or foreign country.

13       (J) ~~-(9) When it-~~ IT is shown by satisfactory evidence that  
14 delivery of a motor vehicle in the possession of a dealer was not  
15 made to the applicant registered under this act. The money paid  
16 for registration and license fees may be refunded to the party  
17 who ~~-makes application-~~ APPLIES for the refund.

18       (2) ~~-(b) If the LICENSEE'S offense -of the licensee-~~ con-  
19 sists ~~-in-~~ OF hauling on the registered vehicle a gross weight  
20 more than 1,000 pounds in excess of the elected gross weight  
21 specified on the owners' ~~-reregistration [sic]-~~ REGISTRATION cer-  
22 tificate, the registration shall be canceled and the vehicle  
23 shall not again be operated on the highways, roads, ~~-and-~~ OR  
24 streets ~~-of the state-~~ until it is ~~-reregistered,-~~ REGISTERED  
25 AGAIN and new plates are issued. The ~~-reregistration-~~ NEW  
26 REGISTRATION fee shall be computed on the basis of twice the  
27 difference between the original registration fee and the

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1 registration fee applicable to the gross weight constituting the  
2 violation of the elected gross weight. ~~—, one-half~~ ONE-HALF of  
3 ~~which~~ THE NEW registration fee shall be a penalty. The period  
4 of the ~~reregistration~~ NEW REGISTRATION fee shall not extend  
5 beyond the termination date of the canceled registration  
6 certificate. The ~~reregistration~~ NEW REGISTRATION fee shall not  
7 exceed the maximum gross weight of the vehicle or combination of  
8 vehicles as determined by the number of axles and the legal  
9 weight applicable to ~~such~~ THOSE axles as specified by section  
10 722. ~~For the purpose of this act the~~ THE gross weight of a  
11 vehicle or combination of vehicles may be determined by weighing  
12 the individual axles or group of axles, and the total weight on  
13 all axles ~~shall be~~ IS the gross vehicle weight.

14 (3) ~~(c)~~ Before ~~any~~ THE SECRETARY OF STATE MAKES A can-  
15 cellation under ~~subparagraphs 1, 2, 5, 6 and 7 of this section~~  
16 ~~is made,~~ SUBSECTION (1)(A), (B), (E), (F), OR (G), the person  
17 affected ~~thereby~~ BY THE CANCELLATION shall be given notice and  
18 an opportunity to be heard.

19 Sec. 319. (1) The secretary of state shall immediately sus-  
20 pend a person's license ~~for not less than 90 days or more than 2~~  
21 ~~years~~ AS PROVIDED IN THIS SECTION upon receiving a record of the  
22 person's conviction for ~~any of the following crimes or attempts~~  
23 ~~to commit any of the following crimes~~ A CRIME DESCRIBED IN THIS  
24 SECTION, whether the conviction is under a law of this state, a  
25 local ordinance substantially corresponding to a law of this  
26 state, or a law of another state substantially corresponding to a  
27 law of this state. ~~—~~

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1       (2) THE SECRETARY OF STATE SHALL SUSPEND THE PERSON'S  
2 LICENSE FOR 1 YEAR FOR ANY OF THE FOLLOWING CRIMES:

3       (a) Fraudulently altering or forging documents pertaining to  
4 motor vehicles ~~,~~ in violation of section 257.

5       ~~(b) Perjury or making a false certification to the secre-~~  
6 ~~tary of state under any law requiring the registration of a motor~~  
7 ~~vehicle or regulating the operation of a motor vehicle on a~~  
8 ~~highway.~~

9       (B) ~~(c)~~ A violation of section 413 ~~or 414~~ of the  
10 Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~  
11 ~~being sections 750.413 and 750.414 of the Michigan Compiled Laws,~~  
12 ~~or a~~ 1931 PA 328, MCL 750.413.

13       (C) A violation of section 1 of ~~Act No. 214 of the Public~~  
14 ~~Acts of 1931, being section 752.191 of the Michigan Compiled~~  
15 ~~Laws~~ 1931 PA 214, MCL 752.191.

16       ~~(d) A conviction for reckless driving in violation of sec-~~  
17 ~~tion 626.~~

18       (D) ~~(e)~~ Failing to stop and disclose identity at the scene  
19 of an accident resulting in death or SERIOUS injury in violation  
20 of section 617. ~~or 617a.~~

21       (E) ~~(f)~~ A felony in which a motor vehicle was used. As  
22 used in this section, "felony in which a motor vehicle was used"  
23 means a felony during the commission of which the person con-  
24 victed operated a motor vehicle and while operating the vehicle  
25 presented real or potential harm to persons or property and 1 or  
26 more of the following circumstances existed:

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1       (i) The vehicle was used as an instrument of the felony.

2       (ii) The vehicle was used to transport a victim of the  
3 felony.

4       (iii) The vehicle was used to flee the scene of the felony.

5       (iv) The vehicle was necessary for the commission of the  
6 felony.

7       (F) A VIOLATION OF SECTION 602A(2) OR (3) OF THIS ACT OR  
8 SECTION 479A(2) OR (3) OF THE MICHIGAN PENAL CODE, 1931 PA 328,  
9 MCL 750.479A. THE SECRETARY OF STATE MAY ISSUE THE PERSON A  
10 RESTRICTED LICENSE DURING ALL OR A SPECIFIED PORTION OF THE SUS-  
11 PENSION, EXCEPT THAT THE SECRETARY OF STATE SHALL NOT ISSUE A  
12 RESTRICTED LICENSE DURING THE FIRST 180 DAYS OF SUSPENSION. IF A  
13 TERM OF IMPRISONMENT IS SERVED AS PART OF THE PERSON'S SENTENCE,  
14 THE LICENSE SUSPENSION PERIOD SHALL BEGIN AFTER COMPLETION OF THE  
15 TERM OF IMPRISONMENT.

16       (3) THE SECRETARY OF STATE SHALL SUSPEND THE PERSON'S  
17 LICENSE FOR 90 DAYS FOR ANY OF THE FOLLOWING CRIMES:

18       (A) FAILING TO STOP AND DISCLOSE IDENTITY AT THE SCENE OF AN  
19 ACCIDENT RESULTING IN INJURY IN VIOLATION OF SECTION 617A.

20       (B) RECKLESS DRIVING IN VIOLATION OF SECTION 626.

21       (C) ~~-(2) The secretary of state shall suspend the license of~~  
22 ~~a person convicted of malicious~~ MALICIOUS destruction resulting  
23 from the operation of a ~~motor~~ vehicle under section 382 of the  
24 Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~  
25 ~~being section 750.382 of the Michigan Compiled Laws, for not more~~  
26 ~~than 1 year as ordered by the court as part of the sentence~~ 1931  
27 PA 328, MCL 750.382.

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1       (D) ~~(3) The secretary of state shall immediately suspend a~~  
2 ~~person's license for the period specified in the abstract of con-~~  
3 ~~viction upon receiving the person's license and abstract of con-~~  
4 ~~viction forwarded to the secretary of state pursuant to~~ A VIOLA-  
5 TION DESCRIBED IN section 367c of the Michigan penal code, ~~Act~~  
6 ~~No. 328 of the Public Acts of 1931, being section 750.367c of the~~  
7 ~~Michigan Compiled Laws~~ 1931 PA 328, MCL 750.367C.

8       (E) A VIOLATION OF SECTION 33B(2) OF THE MICHIGAN LIQUOR  
9 CONTROL ACT, 1933 (EX SESS) PA 8, MCL 436.33B.

10       (4) ~~Except as otherwise provided in subsection (9), if a~~  
11 ~~court has not ordered a suspension of a person's license under~~  
12 ~~this act for a violation described in subdivision (a), (b), (c),~~  
13 ~~or (d) for a period equal to or greater than the suspension~~  
14 ~~period prescribed under subdivision (a), (b), (c), or (d) for the~~  
15 ~~violation, the secretary of state shall suspend the license as~~  
16 ~~follows, notwithstanding a court order issued under~~  
17 ~~section 625(1), (3), or (6), section 625b, former section 625(1)~~  
18 ~~or (2), or former section 625b or a local ordinance substantially~~  
19 ~~corresponding to section 625(1), (3), or (6), section 625b,~~  
20 ~~former section 625(1) or (2), or former section 625b~~ FOR PERJURY  
21 OR MAKING A FALSE CERTIFICATION TO THE SECRETARY OF STATE UNDER  
22 ANY LAW REQUIRING THE REGISTRATION OF A MOTOR VEHICLE OR REGULAT-  
23 ING THE OPERATION OF A VEHICLE ON A HIGHWAY, THE SECRETARY SHALL  
24 SUSPEND THE PERSON'S LICENSE AS FOLLOWS:

25       (A) IF THE PERSON HAS NO PRIOR CONVICTION FOR AN OFFENSE  
26 DESCRIBED IN THIS SUBSECTION, FOR 90 DAYS.

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1 (B) IF THE PERSON HAS 1 OR MORE PRIOR CONVICTIONS FOR AN  
2 OFFENSE DESCRIBED IN THIS SUBSECTION, FOR 1 YEAR.

3 (5) FOR A VIOLATION OF SECTION 414 OF THE MICHIGAN PENAL  
4 CODE, 1931 PA 328, MCL 750.414, THE SECRETARY OF STATE SHALL SUS-  
5 PEND THE PERSON'S LICENSE AS FOLLOWS:

6 (A) IF THE PERSON HAS NO PRIOR CONVICTION FOR THAT OFFENSE  
7 WITHIN 7 YEARS, FOR 90 DAYS.

8 (B) IF THE PERSON HAS 1 OR MORE PRIOR CONVICTIONS FOR THAT  
9 OFFENSE WITHIN 7 YEARS, FOR 1 YEAR.

10 (6) FOR A VIOLATION OF SECTION 624A OR 624B OF THIS ACT OR  
11 SECTION 33B(1) OF THE MICHIGAN LIQUOR CONTROL ACT, 1933 (EX SESS)  
12 PA 8, MCL 436.33B, THE SECRETARY OF STATE SHALL SUSPEND THE  
13 PERSON'S LICENSE AS FOLLOWS:

14 (A) IF THE PERSON HAS 1 PRIOR CONVICTION FOR AN OFFENSE  
15 DESCRIBED IN THIS SUBSECTION, FOR 90 DAYS. THE SECRETARY OF  
16 STATE MAY ISSUE THE PERSON A RESTRICTED LICENSE AFTER THE FIRST  
17 30 DAYS OF SUSPENSION.

18 (B) IF THE PERSON HAS 2 OR MORE PRIOR CONVICTIONS FOR AN  
19 OFFENSE DESCRIBED IN THIS SUBSECTION, FOR 180 DAYS. THE SECRE-  
20 TARY OF STATE MAY ISSUE THE PERSON A RESTRICTED LICENSE AFTER THE  
21 FIRST 60 DAYS OF SUSPENSION.

22 (7) THE SECRETARY OF STATE SHALL SUSPEND THE PERSON'S  
23 LICENSE FOR A VIOLATION OF SECTION 625 AS FOLLOWS:

24 (A) FOR 180 DAYS FOR A VIOLATION OF SECTION 625(1) IF THE  
25 PERSON HAS NO PRIOR CONVICTIONS WITHIN 7 YEARS. THE SECRETARY OF  
26 STATE MAY ISSUE THE PERSON A RESTRICTED LICENSE DURING ALL OR A  
27 SPECIFIED PORTION OF THE SUSPENSION, EXCEPT THAT THE SECRETARY OF

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1 STATE SHALL NOT ISSUE A RESTRICTED LICENSE DURING THE FIRST 30  
2 DAYS OF SUSPENSION.

3 (B) ~~(a) For not less than 90 days or more than 1 year~~  
4 ~~upon receiving a record of the person's conviction for a viola-~~  
5 ~~tion of section 625(3), a local ordinance substantially corre-~~  
6 ~~sponding to section 625(3), or a law of another state substan-~~  
7 ~~tially corresponding to section 625(3) if the person has no~~  
8 ~~prior convictions within 7 years. for a violation of section~~  
9 ~~625(1), (3), (4), or (5), former section 625(1) or (2), or former~~  
10 ~~section 625b, a local ordinance substantially corresponding to~~  
11 ~~section 625(1) or (3), former section 625(1) or (2), or former~~  
12 ~~section 625b, or a law of another state substantially correspond-~~  
13 ~~ing to section 625(1), (3), (4), or (5), former section 625(1) or~~  
14 ~~(2), or former section 625b. However, if the person is convicted~~  
15 ~~of a violation of section 625(3), a local ordinance substan-~~  
16 ~~tially corresponding to section 625(3), or a law of another state~~  
17 ~~substantially corresponding to section 625(3) for operating a~~  
18 ~~vehicle when, due to the consumption of a controlled substance or~~  
19 ~~a combination of intoxicating liquor and a controlled substance,~~  
20 ~~the person's ability to operate the vehicle was visibly impaired,~~  
21 ~~the secretary of state shall suspend the person's license under~~  
22 ~~this subdivision for not less than 6 months. or more than 1~~  
23 ~~year. THE SECRETARY OF STATE MAY ISSUE THE PERSON A RESTRICTED~~  
24 ~~LICENSE DURING ALL OR A SPECIFIED PORTION OF THE SUSPENSION.~~

25 ~~(b) For not less than 6 months or more than 2 years upon~~  
26 ~~receiving a record of the person's conviction if the person has~~  
27 ~~the following convictions, whether under the law of this state, a~~

1 ~~local ordinance substantially corresponding to a law of this~~  
2 ~~state, or a law of another state substantially corresponding to a~~  
3 ~~law of this state:~~

4 ~~(i) One conviction under section 625(1) or former section~~  
5 ~~625(1) or (2).~~

6 ~~(ii) Any combination of 2 convictions under section 625(3)~~  
7 ~~or former section 625b within a 7-year period.~~

8 ~~(iii) One conviction under section 625(1) or former section~~  
9 ~~625(1) or (2) and 1 conviction under section 625(3) or former~~  
10 ~~section 625b within a 7-year period.~~

11 ~~(iv) One conviction under section 625(4) or (5) followed by~~  
12 ~~1 conviction under section 625(3) within a 7-year period.~~

13 ~~(c) For not less than 30 days or more than 90 days upon~~  
14 ~~receiving a record of the person's conviction for a violation of~~  
15 ~~section 625(6) —, a local ordinance substantially corresponding~~  
16 ~~to section 625(6), or a law of another state substantially corre-~~  
17 ~~sponding to section 625(6) if the person has no prior convic-~~  
18 ~~tions within 7 years. —for a violation of section 625(1), (3),~~  
19 ~~(4), (5), or (6), former section 625(1) or (2), or former section~~  
20 ~~625b, a local ordinance substantially corresponding to section~~  
21 ~~625(1), (3), or (6), former section 625(1) or (2), or former sec-~~  
22 ~~tion 625b, or a law of another state substantially corresponding~~  
23 ~~to section 625(1), (3), (4), (5), or (6), former section 625(1)~~  
24 ~~or (2), or former section 625b. THE SECRETARY OF STATE MAY ISSUE~~  
25 ~~THE PERSON A RESTRICTED LICENSE DURING ALL OR A SPECIFIED PORTION~~  
26 ~~OF THE SUSPENSION.~~

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1 (d) For ~~not less than~~ 90 days ~~or more than 1 year upon~~  
2 ~~receiving a record of the person's conviction~~ for a violation of  
3 section 625(6) ~~, a local ordinance substantially corresponding~~  
4 ~~to section 625(6), or a law of another state substantially corre-~~  
5 ~~sponding to section 625(6)~~ if the person has 1 or more prior  
6 convictions within 7 years. ~~for a violation of section 625(1),~~  
7 ~~(3), (4), (5), or (6), former section 625(1) or (2), or former~~  
8 ~~section 625b, a local ordinance substantially corresponding to~~  
9 ~~section 625(1), (3), or (6), former section 625(1) or (2), or~~  
10 ~~former section 625b, or a law of another state substantially cor-~~  
11 ~~responding to section 625(1), (3), (4), (5), or (6), former sec-~~  
12 ~~tion 625(1) or (2), or former section 625b.~~ THE SECRETARY OF  
13 STATE MAY ISSUE THE PERSON A RESTRICTED LICENSE DURING ALL OR A  
14 SPECIFIED PORTION OF THE SUSPENSION.

15 ~~(5) Upon receiving a certificate of conviction under sec-~~  
16 ~~tion 33b(2) of the Michigan liquor control act, Act No. 8 of the~~  
17 ~~Public Acts of the Extra Session of 1933, being section 436.33b~~  
18 ~~of the Michigan Compiled Laws, or a local ordinance or law of~~  
19 ~~another state substantially corresponding to section 33b(2) of~~  
20 ~~Act No. 8 of the Public Acts of the Extra Session of 1933, the~~  
21 ~~secretary of state shall suspend pursuant to court order the~~  
22 ~~person's operator's or chauffeur's license for 90 days. A sus-~~  
23 ~~pension under this subsection shall be in addition to any other~~  
24 ~~suspension of the person's license.~~

25 ~~(6) Upon receiving the record of a person's conviction for a~~  
26 ~~violation of section 602a(2) or (3) of this act or section~~  
27 ~~479a(2) or (3) of Act No. 328 of the Public Acts of 1931, being~~

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1 ~~section 750.479a of the Michigan Compiled Laws, the secretary of~~  
2 ~~state immediately shall suspend the person's license for the~~  
3 ~~period ordered by the court as part of the sentence or~~  
4 ~~disposition.~~

5       ~~(7) Upon receiving an abstract of conviction for a violation~~  
6 ~~of section 33b(1) of Act No. 8 of the Public Acts of the Extra~~  
7 ~~Session of 1933, being section 436.33b of the Michigan Compiled~~  
8 ~~Laws, or section 624a or 624b or a local ordinance substantially~~  
9 ~~corresponding to those sections, the secretary of state shall~~  
10 ~~suspend the person's operator's or chauffeur's license for the~~  
11 ~~period of time described in section 33b(4) of Act No. 8 of the~~  
12 ~~Public Acts of the Extra Session of 1933 or section 624a or 624b~~  
13 ~~notwithstanding any court order to the contrary and, if applica-~~  
14 ~~ble, issue a restricted license as ordered by the court in the~~  
15 ~~manner provided for in section 33b of Act No. 8 of the Public~~  
16 ~~Acts of the Extra Session of 1933 or section 624a or 624b. If~~  
17 ~~the person does not possess an operator's or chauffeur's license,~~  
18 ~~the secretary of state shall deny the person's application for an~~  
19 ~~operator's or chauffeur's license for the applicable suspension~~  
20 ~~period.~~

21       ~~(8) Except as provided in subsection (10), a suspension~~  
22 ~~under this section shall be imposed notwithstanding a court~~  
23 ~~order. -issued under section 625(1), (3), (4), (5), or (6) or~~  
24 ~~section 625b or a local ordinance substantially corresponding to~~  
25 ~~section 625(1), (3), or (6) or section 625b.~~

26       ~~(9) If the secretary of state receives records of more than~~  
27 ~~1 conviction of a person resulting from the same incident, a~~

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1 suspension shall be imposed only for the violation to which the  
2 longest period of suspension applies under this section.

3       (10) The secretary of state may waive a suspension of a  
4 person's license imposed under ~~subsection (4)(a), (b), (c), or~~  
5 ~~(d)~~ THIS ACT if the person submits proof that a court in another  
6 state revoked, suspended, or restricted his or her license for a  
7 period equal to or greater than the period of a suspension pre-  
8 scribed under ~~subsection (4)(a), (b), (c), or (d)~~ THIS ACT for  
9 the violation and that the revocation, suspension, or restriction  
10 was served for the violation, or may grant a restricted license.

11       (11) THE SECRETARY OF STATE SHALL NOT ISSUE A RESTRICTED  
12 LICENSE TO A PERSON WHOSE LICENSE IS SUSPENDED UNDER THIS SECTION  
13 UNLESS A RESTRICTED LICENSE IS AUTHORIZED UNDER THIS SECTION AND  
14 THE PERSON IS OTHERWISE ELIGIBLE FOR A LICENSE.

15       (12) THE SECRETARY OF STATE SHALL NOT ISSUE A RESTRICTED  
16 LICENSE TO A PERSON UNDER SUBSECTION (7) THAT WOULD PERMIT THE  
17 PERSON TO OPERATE A COMMERCIAL MOTOR VEHICLE THAT HAULS HAZARDOUS  
18 MATERIAL.

19       (13) A RESTRICTED LICENSE ISSUED UNDER THIS SECTION SHALL  
20 PERMIT THE PERSON TO WHOM IT IS ISSUED TO DRIVE UNDER 1 OR MORE OF  
21 THE FOLLOWING CIRCUMSTANCES:

22       (A) IN THE COURSE OF THE PERSON'S EMPLOYMENT OR OCCUPATION.

23       (B) TO AND FROM ANY COMBINATION OF THE FOLLOWING:

24       (i) THE PERSON'S RESIDENCE.

25       (ii) THE PERSON'S WORK LOCATION.

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1 (iii) AN ALCOHOL OR DRUG EDUCATION OR TREATMENT PROGRAM ORDERED  
2 BY THE COURT.

3 (iv) THE COURT PROBATION DEPARTMENT.

4 (v) A COURT-ORDERED COMMUNITY SERVICE PROGRAM.

5 (vi) AN EDUCATIONAL INSTITUTION AT WHICH THE PERSON IS ENROLLED  
6 AS A STUDENT.

7 (vii) A PLACE OF REGULARLY OCCURRING MEDICAL TREATMENT FOR A  
8 SERIOUS CONDITION FOR THE PERSON OR A MEMBER OF THE PERSON'S  
9 HOUSEHOLD OR IMMEDIATE FAMILY.

10 (14) THE RESTRICTED LICENSE SHALL INDICATE THE PERMITTED  
11 PURPOSES FOR WHICH THE PERSON MAY OPERATE A VEHICLE. WHILE DRIVING,  
12 THE PERSON SHALL CARRY PROOF OF HIS OR HER DESTINATION AND THE HOURS  
13 OF ANY EMPLOYMENT, CLASS, OR OTHER REASON FOR TRAVELING AND SHALL  
14 DISPLAY THAT PROOF UPON A PEACE OFFICER'S REQUEST.

15

16

17 (15) AS USED IN SUBSECTION (7), "PRIOR CONVICTION" MEANS A  
18 CONVICTION FOR ANY OF THE FOLLOWING, WHETHER UNDER A LAW OF THIS  
19 STATE, A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO A LAW OF  
20 THIS STATE, OR A LAW OF ANOTHER STATE SUBSTANTIALLY CORRESPONDING  
21 TO A LAW OF THIS STATE:

22 (A) A VIOLATION OR ATTEMPTED VIOLATION OF SECTION 625(1),  
23 (3), (4), (5), OR (7), SECTION 625M, FORMER SECTION 625(1) OR  
24 (2), OR FORMER SECTION 625B.

25 (B) NEGLIGENT HOMICIDE, MANSLAUGHTER, OR MURDER RESULTING  
26 FROM THE OPERATION OF A VEHICLE OR AN ATTEMPT TO COMMIT 1 OF  
27 THOSE CRIMES.

1 (C) FOR PURPOSES OF THE SUSPENSIONS DESCRIBED IN SUBSECTION  
2 (7)(C) AND (D) ONLY, A VIOLATION OR ATTEMPTED VIOLATION OF SEC-  
3 TION 625(6).

4 (16) AS USED IN SUBSECTION (13), "WORK LOCATION" MEANS, AS  
5 APPLICABLE, THE SPECIFIC PLACE OR PLACES OF EMPLOYMENT OR THE  
6 TERRITORY OR TERRITORIES REGULARLY VISITED BY THE PERSON IN PUR-  
7 SUANCE OF THE PERSON'S OCCUPATION, OR BOTH.

8 Sec. 319b. (1) The secretary of state shall immediately  
9 suspend or revoke, as applicable, all vehicle group designations  
10 on the operator's or chauffeur's license of a person upon receiv-  
11 ing notice of a conviction, bond forfeiture, or civil infraction  
12 determination of the person, or notice that a court or adminis-  
13 trative tribunal has found the person responsible, for a viola-  
14 tion described in this subsection of a law of this state, a local  
15 ordinance substantially corresponding to a law of this state, or  
16 a law of another state substantially corresponding to a law of  
17 this state — or notice that the person has refused to submit to  
18 a chemical test of his or her blood, breath, or urine for the  
19 purpose of determining the amount of alcohol or presence of a  
20 controlled substance or both in the person's blood, BREATH, OR  
21 URINE while the person was operating a commercial motor vehicle  
22 as required by a law or local ordinance of this or another  
23 state. The period of suspension or revocation is as follows:

24 (a) Suspension for 60 days if the licensee is convicted of  
25 or found responsible for 2 serious traffic violations while oper-  
26 ating a commercial motor vehicle arising from separate incidents  
27 within 36 months.

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1 (b) Suspension for 120 days if the licensee is convicted of  
2 or found responsible for 3 serious traffic violations while oper-  
3 ating a commercial motor vehicle arising from separate incidents  
4 within 36 months.

5 (c) Suspension for 1 year if the licensee is convicted of or  
6 found responsible for 1 of the following:

7 (i) A violation of section 625(1), (3), ~~-(4), or (5),~~ OR  
8 (7), section 625m, ~~or~~ former section 625(1) or (2), or former  
9 section 625b, ~~or~~ a local ordinance substantially corresponding  
10 to section 625(1) or (3), section 625m, ~~or~~ former section  
11 625(1) or (2), or former section 625b, or a law of another state  
12 substantially corresponding to section 625(1), (3), ~~-(4), or~~  
13 ~~(5),~~ OR (7), section 625m, ~~or~~ former section 625(1) or (2), or  
14 former section 625b ~~,~~ while operating a commercial motor  
15 vehicle.

16 (ii) Leaving the scene of an accident involving a commercial  
17 motor vehicle operated by the licensee.

18 (iii) A felony in which a commercial motor vehicle was  
19 used.

20 (iv) A refusal OF A PEACE OFFICER'S REQUEST to submit to a  
21 chemical test of his or her blood, breath, or urine ~~for the pur-~~  
22 ~~pose of determining~~ TO DETERMINE the amount of alcohol or pres-  
23 ence of a controlled substance or both in his or her blood,  
24 BREATH, OR URINE while he or she was operating a commercial motor  
25 vehicle as required by a law or local ordinance of this state or  
26 another state.

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1 (v) A 6-point violation as provided in section 320a while  
2 operating a commercial motor vehicle.

3 (d) Suspension for 3 years if the licensee is convicted of  
4 or found responsible for an offense enumerated in subdivision  
5 (c)(i) to (iv) in which a commercial motor vehicle was used if  
6 the vehicle was carrying hazardous material required to have a  
7 placard pursuant to 49 C.F.R. parts 100 to 199.

8 (e) Revocation for not less than 10 years and until the  
9 person is approved for the issuance of a vehicle group designa-  
10 tion if a licensee is convicted of or found responsible for 1 of  
11 the following:

12 (i) A VIOLATION OF SECTION 625(4) OR (5) OR A LAW OF ANOTHER  
13 STATE SUBSTANTIALLY CORRESPONDING TO SECTION 625(4) OR (5) WHILE  
14 DRIVING A COMMERCIAL MOTOR VEHICLE.

15 (ii) NEGLIGENT HOMICIDE, MANSLAUGHTER, OR MURDER RESULTING  
16 FROM THE OPERATION OF A COMMERCIAL MOTOR VEHICLE, WHETHER UNDER A  
17 LAW OF THIS STATE OR A LAW OF ANOTHER STATE SUBSTANTIALLY CORRE-  
18 SPONDING TO A LAW OF THIS STATE.

19 (iii) ~~(i)~~ Any combination of 2 OR MORE violations ~~under~~  
20 ~~section~~ OR ATTEMPTED VIOLATIONS OF ANY OF THE FOLLOWING, WHETHER  
21 UNDER A LAW OF THIS STATE, A LOCAL ORDINANCE SUBSTANTIALLY CORRE-  
22 SPONDING TO A LAW OF THIS STATE, OR A LAW OF ANOTHER STATE SUB-  
23 STANTIALLY CORRESPONDING TO A LAW OF THIS STATE:

24 (A) SECTION 625(1), (3), (4), ~~or~~ (5), OR (7), section  
25 625m, ~~or~~ former section 625(1) or (2), or former section 625b  
26 ~~, a local ordinance substantially corresponding to section~~  
27 ~~625(1) or (3), section 625m, or former section 625(1) or (2), or~~

1 ~~former section 625b, or a law of another state substantially~~  
2 ~~corresponding to section 625(1), (3), (4), or (5), section 625m,~~  
3 ~~or former section 625(1) or (2), or former section 625b~~ while  
4 driving a commercial motor vehicle.

5 (B) NEGLIGENT HOMICIDE, MANSLAUGHTER, OR MURDER RESULTING  
6 FROM THE OPERATION OF A COMMERCIAL MOTOR VEHICLE.

7 (iv) ~~(ii)~~ Two violations of leaving the scene of an acci-  
8 dent involving a commercial motor vehicle operated by the  
9 licensee.

10 (v) ~~(iii)~~ Two violations of a felony in which a commercial  
11 motor vehicle was used.

12 (vi) ~~(iv)~~ Two refusals of a PEACE OFFICER'S request ~~of a~~  
13 ~~police officer~~ to submit to a chemical test of his or her blood,  
14 breath, or urine ~~for the purpose of determining~~ TO DETERMINE  
15 the amount of alcohol or presence of a controlled substance or  
16 both in his or her blood, BREATH, OR URINE while he or she was  
17 operating a commercial motor vehicle in this state or another  
18 state ~~, which~~ IF THE refusals occurred in separate incidents.

19 (vii) ~~(v)~~ Two ANY COMBINATION OF 2 OR MORE ~~violations, in~~  
20 ~~any combination, of the~~ offenses enumerated ~~under~~ IN subpara-  
21 graph (i), (ii), (iii), ~~or~~ (iv), (v), OR (vi) arising from 2 or  
22 more separate incidents.

23 (viii) ~~(vi)~~ One violation of a felony in which a commer-  
24 cial motor vehicle was used and that involved the manufacture,  
25 ~~distribution, or dispensing~~ CREATION, OR DELIVERY of a con-  
26 trolled substance or possession with intent to manufacture,

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1 ~~distribute, or dispense~~ CREATE, OR DELIVER a controlled  
2 substance.

3 (ix) A VIOLATION OF SECTION 625M(1) PUNISHABLE UNDER  
4 SECTION 625M(5).

5 (2) The secretary of state shall immediately suspend all  
6 vehicle group designations on the operator's or chauffeur's  
7 license of a person upon receiving notice of a conviction, bond  
8 forfeiture, or civil infraction determination of the person, or  
9 notice that a court or administrative tribunal has found the  
10 person responsible, for a violation of section 319d(4) or 319f, a  
11 local ordinance substantially corresponding to section 319d(4) or  
12 319f, or a law or local ordinance of another state, the United  
13 States, Canada, Mexico, or a local jurisdiction of ~~either of~~  
14 ~~these countries~~ CANADA OR MEXICO substantially corresponding to  
15 section 319d(4) or 319f ~~—~~ while operating a commercial motor  
16 vehicle. ~~as defined in section 7a.~~ The period of suspension or  
17 revocation is as follows:

18 (a) Suspension for 90 days if the licensee is convicted of  
19 or found responsible for a violation of section 319d(4) or 319f  
20 while operating a commercial motor vehicle.

21 (b) Suspension for 180 days if the licensee is convicted of  
22 or found responsible for a violation of section 319d(4) or 319f  
23 while operating a commercial motor vehicle THAT IS either carry-  
24 ing hazardous material required to have a placard pursuant to 49  
25 C.F.R. parts 100 to 199 ~~—~~ or ~~that is~~ designed to carry 16 or  
26 more passengers, including the driver.

1       (c) Suspension for 1 year if the licensee is convicted of or  
2 found responsible for 2 violations, in any combination, of  
3 section 319d(4) or 319f while operating a commercial motor vehi-  
4 cle arising from 2 or more separate incidents during a 10-year  
5 period.

6       (d) Suspension for 3 years if the licensee is convicted of  
7 or found responsible for 3 or more violations, in any combina-  
8 tion, of section 319d(4) or 319f while operating a commercial  
9 motor vehicle arising from 3 or more separate incidents during a  
10 10-year period.

11       (e) Suspension for 3 years if the licensee is convicted of  
12 or found responsible for 2 or more violations, in any combina-  
13 tion, of section 319d(4) or 319f while operating a commercial  
14 motor vehicle carrying hazardous material required to have a  
15 placard pursuant to 49 C.F.R. parts 100 to 199, or designed to  
16 carry 16 or more passengers, including the driver, arising from 2  
17 or more separate incidents during a 10-year period.

18       (3) As used in this section:

19       (a) "Felony in which a commercial motor vehicle was used"  
20 means a felony during the commission of which the person con-  
21 victed operated a commercial motor vehicle and while the person  
22 was operating the vehicle 1 or more of the following circum-  
23 stances existed:

24       (i) The vehicle was used as an instrument of the felony.

25       (ii) The vehicle was used to transport a victim of the  
26 felony.

1       (iii) The vehicle was used to flee the scene of the felony.

2       (iv) The vehicle was necessary for the commission of the  
3 felony.

4       (b) "Serious traffic violation" means a traffic violation  
5 that occurs in connection with an accident in which a person  
6 ~~died~~ DIES, careless driving, excessive speeding as defined in  
7 the federal administrative regulations promulgated to implement  
8 the commercial motor vehicle safety act of 1986, title XII of  
9 Public Law 99-570, 100 Stat. 3207-170, improper lane use, fol-  
10 lowing too closely, or any other serious traffic violation as  
11 defined in 49 C.F.R. 383.5 or as prescribed under this act.

12       (4) For the purpose of this section only, a bond forfeiture  
13 or a determination by a court of original jurisdiction or ~~by~~ an  
14 authorized administrative tribunal that a person has violated the  
15 law is considered a conviction.

16       (5) The secretary of state shall suspend or revoke a vehicle  
17 group designation under subsection (1) notwithstanding a suspen-  
18 sion, restriction, revocation, or denial of an operator's or  
19 chauffeur's license or vehicle group designation under another  
20 section of this act or a court order issued under another section  
21 of this act or a local ordinance substantially corresponding to  
22 another section of this act.

23       (6) ~~The secretary of state, when~~ WHEN determining the  
24 applicability of conditions listed in this section, THE SECRETARY  
25 OF STATE shall only consider violations that occurred after  
26 January 1, 1990.

1       Sec. 602a. (1) A driver of a motor vehicle who is given by  
2 hand, voice, emergency light, or siren a visual or audible signal  
3 by a police or conservation officer, acting in the lawful per-  
4 formance of his or her duty, directing the driver to bring his or  
5 her motor vehicle to a stop shall not willfully fail to obey that  
6 direction by increasing the speed of the motor vehicle, extin-  
7 guishing the lights of the motor vehicle, or otherwise attempting  
8 to flee or elude the officer. This subsection does not apply  
9 unless the police or conservation officer giving the signal is in  
10 uniform ~~—~~, and the OFFICER'S vehicle ~~driven by the police or~~  
11 ~~conservation officer~~ is identified as an official police or  
12 department of natural resources vehicle.

13       (2) Except as provided in subsection (3), (4), or (5), an  
14 individual who violates subsection (1) is guilty of fourth-degree  
15 fleeing and eluding, a felony punishable by imprisonment for not  
16 more than 2 years or a fine of not more than \$500.00, or both.

17       (3) Except as provided in subsection (4) or (5), an individ-  
18 ual who violates subsection (1) is guilty of third-degree fleeing  
19 and eluding, a felony punishable by imprisonment for not more  
20 than 5 years or a fine of not more than \$1,000.00, or both, if 1  
21 or more of the following circumstances apply:

22       (a) The violation results in a collision or accident.

23       (b) A portion of the violation occurred in an area where the  
24 speed limit is 35 miles an hour or less, whether that speed limit  
25 is posted or imposed as a matter of law.

26       (c) The individual has a prior conviction for fourth-degree  
27 fleeing and eluding, attempted fourth-degree fleeing and eluding,

1 or fleeing and eluding under a current or former law of this  
2 state prohibiting substantially similar conduct.

3 (4) Except as provided in subsection (5), an individual who  
4 violates subsection (1) is guilty of second-degree fleeing and  
5 eluding, a felony punishable by imprisonment for not more than 10  
6 years or a fine of not more than \$5,000.00, or both, if 1 or more  
7 of the following circumstances apply:

8 (a) The violation results in serious injury to an  
9 individual.

10 (b) The individual has 1 or more prior convictions for  
11 first-, second-, or third-degree fleeing and eluding, attempted  
12 first-, second-, or third-degree fleeing and eluding, or fleeing  
13 and eluding under a current or former law of this state prohibit-  
14 ing substantially similar conduct.

15 (c) The individual has any combination of 2 or more prior  
16 convictions for fourth-degree fleeing and eluding, attempted  
17 fourth-degree fleeing and eluding, or fleeing and eluding under a  
18 current or former law of this state prohibiting substantially  
19 similar conduct.

20 (5) If the violation results in the death of another indi-  
21 vidual, an individual who violates subsection (1) is guilty of  
22 first-degree fleeing and eluding, a felony punishable by impris-  
23 onment for not more than 15 years or a fine of not more than  
24 \$10,000.00, or both.

25 ~~-(6) As part of the sentence imposed under subsection (2)~~  
26 ~~or (3), the court shall order the secretary of state to suspend~~  
27 ~~the individual's operator's or chauffeur's license for a period~~

1 of 1 year. The individual shall not be eligible to receive a  
2 restricted license pursuant to section 323 or 323a during the  
3 first 6 months of the period of suspension. If a term of impris-  
4 onment is served as a part of the sentence, the period of suspen-  
5 sion of the individual's license shall begin after the completion  
6 of the term of imprisonment.

7       ~~(7) As part of the sentence imposed under subsection (4) or~~  
8 ~~(5), the court shall order the secretary of state to revoke the~~  
9 ~~individual's operator's or chauffeur's license.~~

10       (6) ~~-(8)-~~ A conviction under this section does not prohibit  
11 a conviction and sentence under any other applicable provision,  
12 except section 479a(2), (3), (4), or (5) of the Michigan penal  
13 code, ~~Act No. 328 of the Public Acts of 1931, being section~~  
14 ~~750.479a of the Michigan Compiled Laws~~ 1931 PA 328, MCL  
15 750.479A, for conduct arising out of the same transaction.

16       (7) ~~-(9)-~~ As used in this section, "serious injury" means a  
17 physical injury that IS NOT NECESSARILY PERMANENT, BUT THAT con-  
18 stitutes ~~permanent~~ serious bodily disfigurement or that seri-  
19 ously ~~and irreparably~~ impairs the functioning of a body organ  
20 or limb. Serious injury includes, but is not limited to, 1 or  
21 more of the following:

22       (a) Loss of a limb or use of a limb.

23       (b) Loss of a hand, foot, finger, or thumb or use of a hand,  
24 foot, finger, or thumb.

25       (c) Loss of an eye or ear or use of an eye or ear.

26       (d) Loss or substantial impairment of a bodily function.

1 (e) Serious visible disfigurement.

2 (f) A comatose state that lasts for more than 3 days.

3 (g) Measurable brain damage or mental impairment.

4 (h) A skull fracture or other serious bone fracture.

5 (i) Subdural hemorrhage or hematoma.

6 Sec. 625m. (1) A person, whether licensed or not, who has  
7 an alcohol content of 0.04 grams or more but not more than 0.07  
8 grams per 100 milliliters of blood, per 210 liters of breath, or  
9 per 67 milliliters of urine shall not operate a commercial motor  
10 vehicle within this state.

11 (2) A peace officer may arrest a person without a warrant  
12 under either of the following circumstances:

13 (a) The peace officer has reasonable cause to believe that  
14 the person was, at the time of an accident, the driver of a com-  
15 mercial motor vehicle involved in the accident and was operating  
16 the vehicle in violation of this section or a local ordinance  
17 substantially corresponding to this section.

18 (b) The person is found in the driver's seat of a commercial  
19 motor vehicle parked or stopped on a highway or street within  
20 this state if any part of the vehicle intrudes into the roadway  
21 and the peace officer has reasonable cause to believe the person  
22 was operating the vehicle in violation of this section or a local  
23 ordinance substantially corresponding to this section.

24 (3) ~~—A—~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (4) AND  
25 (5), A person who is convicted of a violation of this section or  
26 a local ordinance substantially corresponding to this section is  
27 guilty of a misdemeanor punishable by imprisonment for not more

1 than ~~90~~ 93 days or a fine of not more than \$300.00, or both,  
2 together with costs of the prosecution. ~~As part of the sen-~~  
3 ~~tence, the court shall order the secretary of state to suspend~~  
4 ~~the vehicle group designations on the person's operator's or~~  
5 ~~chauffeur's license pursuant to section 319b(1)(c) or, if the~~  
6 ~~vehicle was carrying hazardous material required to have a plac-~~  
7 ~~ard pursuant to 49 C.F.R. parts 100 to 199, pursuant to section~~  
8 ~~319b(1)(d). The court shall not order the secretary of state to~~  
9 ~~issue a restricted license that would permit the person to oper-~~  
10 ~~ate a commercial motor vehicle.~~

11 (4) A person who violates this section or a local ordinance  
12 substantially corresponding to this section within 10 years of  
13 ~~a~~ 1 prior conviction INVOLVING THE OPERATION OF A COMMERCIAL  
14 MOTOR VEHICLE may be sentenced to imprisonment for not more than  
15 1 year or a fine of not more than \$1,000.00, or both. ~~As part~~  
16 ~~of the sentence, the court shall order the secretary of state to~~  
17 ~~revoke the vehicle group designations on the person's operator's~~  
18 ~~or chauffeur's license pursuant to section 319b(1)(e). The court~~  
19 ~~shall not order the secretary of state to issue a restricted~~  
20 ~~license that would permit the person to operate a commercial~~  
21 ~~motor vehicle. As used in this subsection, "prior conviction"~~  
22 ~~means a conviction for a violation of this section, section~~  
23 ~~625(1), (3), (4), or (5), former section 625(1) or (2), or former~~  
24 ~~section 625b, a local ordinance substantially corresponding to~~  
25 ~~this section, section 625(1) or (3), former section 625(1) or~~  
26 ~~(2), or former section 625b, or a law of another state~~  
27 ~~substantially corresponding to this section, section 625(1), (3),~~

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~~1 (4), or (5), former section 625(1) or (2), or former section  
2 625b, while operating a commercial motor vehicle.~~

3 (5) A PERSON WHO VIOLATES THIS SECTION OR A LOCAL ORDINANCE  
4 SUBSTANTIALLY CORRESPONDING TO THIS SECTION WITHIN 10 YEARS OF 2  
5 OR MORE PRIOR CONVICTIONS IS GUILTY OF A FELONY AND SHALL BE SEN-  
6 TENCED TO PAY A FINE OF NOT LESS THAN \$500.00 OR MORE THAN  
7 \$5,000.00 AND TO EITHER OF THE FOLLOWING:

8 (A) IMPRISONMENT UNDER THE JURISDICTION OF THE DEPARTMENT OF  
9 CORRECTIONS FOR NOT LESS THAN 1 YEAR OR MORE THAN 5 YEARS.

10 (B) PROBATION WITH IMPRISONMENT IN THE COUNTY JAIL FOR NOT  
11 LESS THAN 30 DAYS OR MORE THAN 1 YEAR. NOT LESS THAN 48 HOURS OF  
12 THE IMPRISONMENT IMPOSED UNDER THIS SUBDIVISION SHALL BE SERVED  
13 CONSECUTIVELY.

14 (6) THE JUDGMENT OF SENTENCE UNDER SUBSECTION (5) SHALL  
15 IMPOSE THE SANCTION REQUIRED UNDER SECTION 625N.

16 (7) A TERM OF IMPRISONMENT IMPOSED UNDER SUBSECTION (5)  
17 SHALL NOT BE SUSPENDED.

18 ~~(5) When assessing points and taking license actions~~  
19 ~~under this act, the secretary of state and the court shall treat~~  
20 ~~a conviction for \_\_\_\_\_ an attempted vio-~~  
21 ~~lation of subsection (1) , \_\_\_\_\_ a local ordinance substantially~~  
22 ~~corresponding to subsection (1) , or a law of another state sub-~~  
23 ~~stantially corresponding to subsection (1) \_\_\_\_\_ the~~  
24 ~~same as if the offense had been completed.~~

25 (8) AS USED IN THIS SECTION, "PRIOR CONVICTION" MEANS A CON-  
26 VICTION FOR ANY OF THE FOLLOWING, WHETHER UNDER A LAW OF THIS  
27 STATE, A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO A LAW OF

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1 THIS STATE, OR A LAW OF ANOTHER STATE SUBSTANTIALLY CORRESPONDING  
2 TO A LAW OF THIS STATE:

3 (A) A VIOLATION OR ATTEMPTED VIOLATION OF SUBSECTION (1),  
4 (3), (4), (5), OR (7), SECTION 625M, FORMER SECTION 625(1) OR  
5 (2), OR FORMER SECTION 625B.

6 (B) NEGLIGENT HOMICIDE, MANSLAUGHTER, OR MURDER RESULTING  
7 FROM THE OPERATION OF A VEHICLE OR AN ATTEMPT TO COMMIT 1 OF  
8 THOSE CRIMES.

9 Enacting section 1. This amendatory act takes effect 9 months  
10 after the date this amendatory act is enacted.

11 Enacting section 2. This amendatory act does not take  
12 effect unless all of the following bills of the 89th Legislature  
13 are enacted into law:

14 (a) Senate Bill No. 268.

15 (b) Senate Bill No. 269.

16 (c) Senate Bill No. 271.

17 (d) Senate Bill No. 625.

18 (e) Senate Bill No. 626.

19 (f) Senate Bill No. 870.

20 (g) Senate Bill No. 953.

21 (h) Senate Bill No. 989.

22 (i) Senate Bill No. 990.

23 (j) Senate Bill No. 991.

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26