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House Bill 5173 (Substitute S-1 as reported)  
Sponsor: Representative Daniel Acciavatti  
House Committee: Transportation  
Senate Committee: Transportation

### **CONTENT**

The bill would amend the Michigan Vehicle Code to revise the provisions setting penalties for a person who commits a moving violation that results in injury to or the death of a person working in a construction zone.

Currently, a person who commits a moving violation that has criminal penalties and as a result causes injury to a person working in a construction zone is guilty of a misdemeanor punishable by a maximum fine of \$1,000 or imprisonment for up to one year, or both. A person who commits a moving violation with criminal penalties and causes death to a person working in a construction zone is guilty of a felony punishable by a maximum fine of \$7,500 or up to 15 years' imprisonment, or both.

The bill would retain those penalties but would delete reference to a moving violation "that has criminal penalties". The bill would refer, instead, to a moving violation "for which not fewer than 3 points are assigned under section 320a". The bill also would replace the term "construction zone" with "work zone". (Under Section 320a, the SOS, within 10 days of receiving a properly prepared abstract from Michigan or another state, must record the conviction date, civil infraction determination, or probate court disposition, and the number of points for each based on a schedule set forth in that section.)

The bill is tie-barred to House Bill 5089, which would define the term "work zone".

MCL 257.301b

Legislative Analyst: Julie Koval

### **FISCAL IMPACT**

The bill could increase State and local corrections costs by increasing the number of potential offenders. The increase would occur to the extent that "moving violation for which not fewer than 3 points are assigned" is more expansive than "moving violation that has criminal penalties".

Date Completed: 12-3-03

Fiscal Analyst: Bethany Wicksall