

HOUSE BILL No. 5722

March 30, 2004, Introduced by Rep. Woodward and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 321a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 321a. (1) A person who operates a motor vehicle while
2 fatigued and, as a result of the operation of that motor vehicle,
3 causes the death of another person is guilty of a felony
4 punishable by imprisonment for not more than 15 years or a fine
5 of not more than \$10,000.00, or both.

6 (2) A person may be prosecuted for, convicted of, and
7 sentenced for any other violation of law arising out of the same
8 criminal transaction as the violation of this section in lieu of
9 being prosecuted for, convicted of, and sentenced for the
10 violation of this section.

11 (3) As used in this section, "fatigued" means not having

1 **slept within a 24-hour period.**

2 Enacting section 1. This amendatory act takes effect

3 December 1, 2004.