

Act No. 26
Public Acts of 2004
Approved by the Governor
March 15, 2004
Filed with the Secretary of State
March 16, 2004
EFFECTIVE DATE: June 14, 2004

STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004

Introduced by Senators Gilbert, Stamas, Patterson, Van Woerkom, Toy, Garcia, Basham, Cropsey, Birkholz and Brown

ENROLLED SENATE BILL No. 843

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 12e of chapter XVII (MCL 777.12e), as added by 2002 PA 34.

The People of the State of Michigan enact:

CHAPTER XVII

Sec. 12e. This chapter applies to the following felonies enumerated in sections 601 to 624b of chapter VI of the Michigan vehicle code, 1949 PA 300, within chapter 257 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
257.601b(3)	Person	C	Moving violation causing death to construction worker	15
257.601c(2)	Person	C	Moving violation causing death to operator of implement of husbandry	15
257.602a(2)	Pub saf	G	Fleeing and eluding — fourth degree	2
257.602a(3)	Pub saf	E	Fleeing and eluding — third degree	5
257.602a(4)	Person	D	Fleeing and eluding — second degree	10

257.602a(5)	Person	C	Fleeing and eluding — first degree	15
257.616a(2)(b)	Pub saf	G	Using a signal preemption device	2
257.616a(2)(c)	Pub saf	E	Using a signal preemption device causing a traffic accident	5
257.616a(2)(d)	Person	D	Using a signal preemption device causing serious impairment of a body function	10
257.616a(2)(e)	Person	C	Using a signal preemption device causing death	15
257.616a(2)(f)	Pub ord	G	Selling or purchasing a signal preemption device	2
257.617(2)	Person	E	Failure to stop at scene of accident resulting in serious impairment or death	5
257.617(3)	Person	C	Failure to stop at scene of accident resulting in death when at fault	15

Enacting section 1. This amendatory act takes effect 90 days after it is enacted.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 842 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Ray E. Randall

Clerk of the House of Representatives

Approved _____

Governor