

HOUSE BILL No. 4503

March 15, 2005, Introduced by Reps. Wenke, Kahn, Accavitti and Marleau and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 324 (MCL 750.324).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 324. (1) ~~Any~~ A person who, by the operation of any
2 vehicle upon ~~any~~ A highway or ~~upon~~ any other property, public
3 or private, at an immoderate rate of speed or in a careless,
4 reckless, or negligent manner, but not ~~willfully~~ **WILLFULLY** or
5 wantonly, ~~shall cause~~ **CAUSES** the death of another, ~~shall be~~ **IS**
6 guilty of a misdemeanor ~~—~~ punishable by imprisonment ~~in the~~
7 ~~state prison~~ **FOR** not more than 2 years or ~~by~~ a fine of not more
8 than \$2,000.00, or ~~by~~ both. ~~such fine and imprisonment.~~

9 (2) **FOR PURPOSES OF SUBSECTION (1), A PERSON WHO OPERATES A**

1 VEHICLE WHILE FATIGUED IS CONSIDERED TO BE OPERATING THE VEHICLE IN
2 A RECKLESS MANNER. AS USED IN THIS SUBSECTION, "FATIGUED" MEANS
3 HAVING BEEN WITHOUT SLEEP FOR A PERIOD OF 24 CONSECUTIVE HOURS OR
4 LONGER.