

SUBSTITUTE FOR
HOUSE BILL NO. 4187

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 377d; and to repeal acts
and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 377D. (1) A PERSON WHO WILLFULLY AND MALICIOUSLY DAMAGES,
2 DESTROYS, INJURES, DEFACES, DISMANTLES, TAMPERS WITH, OR REMOVES A
3 TRAFFIC CONTROL DEVICE IS GUILTY OF A CRIME AS FOLLOWS:

4 (A) EXCEPT AS PROVIDED IN SUBDIVISIONS (B) AND (C), THE PERSON
5 IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE
6 THAN 93 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

7 (B) A PERSON WHO VIOLATES THIS SECTION AND HAS 1 PRIOR
8 CONVICTION FOR VIOLATING THIS SECTION IS GUILTY OF A MISDEMEANOR
9 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 180 DAYS OR A FINE OF
10 NOT MORE THAN \$1,000.00, OR BOTH.

1 (C) A PERSON WHO VIOLATES THIS SECTION AND HAS 2 OR MORE PRIOR
2 CONVICTIONS FOR VIOLATING THIS SECTION IS GUILTY OF A MISDEMEANOR
3 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF
4 NOT MORE THAN \$10,000.00, OR BOTH.

5 (2) THIS SECTION DOES NOT PROHIBIT THE PERSON FROM BEING
6 CHARGED WITH, CONVICTED OF, OR SENTENCED FOR ANY OTHER VIOLATION OF
7 LAW ARISING OUT OF THE SAME TRANSACTION AS THE VIOLATION OF THIS
8 SECTION IN ADDITION TO BEING CHARGED WITH, CONVICTED OF, OR
9 SENTENCED FOR THE VIOLATION OF THIS SECTION.

10 (3) AS USED IN THIS SECTION, "TRAFFIC CONTROL DEVICE" MEANS A
11 SIGN, SIGNAL, ELECTRONIC TRAFFIC CONTROL SIGN OR SIGNAL, MARKING,
12 LIGHT POST, RAILROAD SIGN OR SIGNAL, OR DEVICE NOT INCONSISTENT
13 WITH THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923,
14 PLACED OR ERECTED BY AUTHORITY OF A PUBLIC BODY OR OFFICIAL HAVING
15 JURISDICTION, FOR THE PURPOSE OF REGULATING, WARNING, OR GUIDING
16 TRAFFIC, MAINTAINING HIGHWAY SAFETY, OR PROVIDING INFORMATION TO
17 MOTOR VEHICLE OPERATORS.

18 Enacting section 1. Section 616 of the Michigan vehicle code,
19 1949 PA 300, MCL 257.616, is repealed.

20 Enacting section 2. This amendatory act takes effect 90 days
21 after the date it is enacted into law.