

HOUSE BILL No. 5002

October 20, 2015, Introduced by Reps. Darany, Sarah Roberts, LaVoy, Dianda, Heise, Geiss, Driskell, Plawecki, Schor, Faris, Hughes, Greig, Chirkun, Phelps, Neeley, Guerra, Yanez, Love, Pagan, Rutledge, Potvin, Derek Miller, McBroom, Callton, Kosowski and Zemke and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 601c (MCL 257.601c), as added by 2001 PA 103.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 601c. (1) A person who commits a moving violation that
2 has criminal penalties and as a result causes injury to a
3 **VULNERABLE ROADWAY USER** OR person operating an implement of
4 husbandry on a highway in compliance with this act is guilty of a
5 misdemeanor punishable by imprisonment for not more than 1 year or
6 a fine of not more than \$1,000.00, or both.

7 (2) A person who commits a moving violation that has criminal
8 penalties and as a result causes death to a **VULNERABLE ROADWAY USER**
9 OR person operating an implement of husbandry on a highway in
10 compliance with this act is guilty of a felony punishable by

1 imprisonment for not more than 15 years or a fine of not more than
2 \$7,500.00, or both.

3 (3) As used in this section: ~~,"moving~~

4 (A) "MOVING violation" means an act or omission prohibited
5 under this act or a local ordinance substantially corresponding to
6 this act that occurs while a person is operating a motor vehicle,
7 and for which the person is subject to a fine.

8 (B) "TRANSPORTATION DEVICE" MEANS A DEVICE IN, UPON, OR BY
9 WHICH ANY PERSON OR PROPERTY, OR BOTH, IS OR MAY BE TRANSPORTED OR
10 DRAWN UPON A HIGHWAY BY HUMAN POWER, OR AN ELECTRICAL PROPULSION
11 SYSTEM WITH AVERAGE POWER OF 750 WATTS OR 1 HORSEPOWER AND A
12 MAXIMUM SPEED ON A PAVED LEVEL SURFACE OF NOT MORE THAN 20 MILES
13 PER HOUR, AND THAT IS REGULATED UNDER THIS ACT. TRANSPORTATION
14 DEVICE INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

15 (i) A CYCLE WITH 1 OR MORE WHEELS, INCLUDING, BUT NOT LIMITED
16 TO, A BICYCLE, OR AN ELECTRIC BICYCLE THAT MEETS THE REQUIREMENTS
17 OF THIS SUBDIVISION.

18 (ii) AN ELECTRIC WHEELCHAIR THAT MEETS THE REQUIREMENTS OF
19 THIS SUBDIVISION.

20 (C) "VULNERABLE ROADWAY USER" MEANS A PEDESTRIAN, A WHEELCHAIR
21 USER, OR A PERSON OPERATING A TRANSPORTATION DEVICE IN COMPLIANCE
22 WITH THIS ACT.