

Act No. 34
Public Acts of 2016
Approved by the Governor
March 8, 2016
Filed with the Secretary of State
March 8, 2016
EFFECTIVE DATE: June 6, 2016

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Reps. Kesto, McCready and Lucido

ENROLLED HOUSE BILL No. 4980

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 12f of chapter XVII (MCL 777.12f), as amended by 2014 PA 220.

The People of the State of Michigan enact:

CHAPTER XVII

Sec. 12f. This chapter applies to the following felonies enumerated in sections 625 to 625q 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
257.625(4)(a)	Person	C	Operating a vehicle while intoxicated or impaired or with the presence of a controlled substance causing death	15
257.625(4)(b)	Person	B	Operating a vehicle with alcohol content of 0.17 grams or more with prior conviction and causing death	20
257.625(4)(c)	Person	B	Operating a vehicle while intoxicated or impaired or with the presence of a controlled substance causing death to certain persons	20

257.625(5)(a)	Person	E	Operating a vehicle while intoxicated or impaired or with the presence of a controlled substance causing serious impairment	5
257.625(5)(b)	Person	D	Operating a vehicle with alcohol content of 0.17 grams or more with prior conviction and causing serious impairment	10
257.625(7)(a)(ii)	Person	E	Operating a vehicle while intoxicated or impaired or with the presence of a controlled substance with a minor in the vehicle — subsequent offense	5
257.625(9)(c)	Pub saf	E	Operating a vehicle while intoxicated or with the presence of a controlled substance — third or subsequent offense	5
257.625(10)(b)	Person	E	Allowing a vehicle to be operated while intoxicated or impaired causing death	5
257.625(10)(c)	Person	G	Allowing a vehicle to be operated while intoxicated or impaired causing serious impairment	2
257.625(11)(c)	Pub saf	E	Operating a vehicle while impaired — third or subsequent offense	5
257.625m(5)	Pub saf	E	Commercial drunk driving — third or subsequent offense	5
257.625q(3)	Pub saf	D	Knowingly providing false information concerning an ignition interlock device	10
257.625q(5)	Pub saf	D	Failure to report illegal ignition interlock device	10

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 176 of the 98th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor