

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4918

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 81g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 81g. (1) Except as otherwise provided in this section, a
2 person who assaults, or assaults and batters, an individual while
3 the individual is performing the individual's duties as the
4 operator of a bus, street railway vehicle, or train is guilty of a
5 misdemeanor punishable by imprisonment for not more than 93 days, a
6 fine of not more than \$1,000.00, or both.

7 (2) Except as otherwise provided in this section, a person who
8 assaults an individual without a weapon and inflicts serious or
9 aggravated injury on that individual without intending to commit

1 murder or to inflict great bodily harm less than murder while the
2 individual is performing the individual's duties as the operator of
3 a bus, street railway vehicle, or train is guilty of a misdemeanor
4 punishable by imprisonment for not more than 1 year, a fine of not
5 more than \$2,000.00, or both.

6 (3) Except as otherwise provided in this section, a person who
7 assaults an individual with a gun, revolver, pistol, knife, iron
8 bar, club, brass knuckles, or other dangerous weapon without
9 intending to commit murder or to inflict great bodily harm less
10 than murder while the individual is performing the individual's
11 duties as the operator of a bus, street railway vehicle, or train
12 is guilty of a felony punishable by imprisonment for not more than
13 4 years, a fine of not more than \$4,000.00, or both.

14 (4) A person who violates subsection (1) and has a prior
15 conviction under this section is guilty of a misdemeanor punishable
16 by imprisonment for not more than 180 days, a fine of not more than
17 \$2,000.00, or both.

18 (5) A person who violates subsection (2) and has a prior
19 conviction under this section is guilty of a felony punishable by
20 imprisonment for not more than 2 years, a fine of not more than
21 \$4,000.00, or both.

22 (6) A person who violates subsection (3) and has a prior
23 conviction under this section is guilty of a felony punishable by
24 imprisonment for not more than 8 years, a fine of not more than
25 \$8,000.00, or both.

26 (7) This section does not prohibit a person from being charged
27 with, convicted of, or punished for any other violation of law
28 arising out of the same transaction as the violation of this
29 section.

1 (8) The owner of a bus, street railway vehicle, or train shall
2 post a sign in a prominent and visible location in each bus, street
3 railway vehicle, or train that provides that a person who assaults
4 the operator of the bus, street railway vehicle, or train in
5 violation of this section may be subject to prosecution and
6 enhanced penalties under this section.

7 (9) As used in this section:

8 (a) "Bus" means that term as defined in section 4b of the
9 Michigan vehicle code, 1949 PA 300, MCL 257.4b.

10 (b) "Railroad" means that term as defined in section 109 of
11 the railroad code of 1993, 1993 PA 354, MCL 462.109.

12 (c) "Street railway service" means 1 or both of the following:

13 (i) A street railway as that term is defined in section 109 of
14 the railroad code of 1993, 1993 PA 354, MCL 462.109.

15 (ii) A street railway system as that term is defined in section
16 507 of the recodified tax increment financing act, 2018 PA 57, MCL
17 125.4507.

18 (d) "Street railway vehicle" means a streetcar, trolley, or
19 tram that is operated on a rail.

20 (e) "Train" means railroad train as that term is defined in
21 section 49 of the Michigan vehicle code, 1949 PA 300, MCL 257.49.

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