

## FELONIOUS DRIVING

**House Bills 4596 and 4597**  
**Sponsor: Rep. Ruth Johnson**  
**Committee: Criminal Justice**

**Complete to 5-11-01**

### A SUMMARY OF HOUSE BILLS 4596 AND 4597 AS INTRODUCED 4-17-01

The bills would move a provision of law prohibiting felonious driving into the Michigan Vehicle Code, expand the definition of felonious driving to include reckless driving in a parking lot, and add the corresponding sentencing guideline for felonious driving to the Code of Criminal Procedure. Specifically, the bills would do the following:

House Bill 4596 would repeal Public Act 214 of 1931, which prohibits felonious driving, and place a similar provision within the Michigan Vehicle Code (MCL 257.626c). Currently, under P.A. 214, it is a felony to drive a vehicle on a highway carelessly and heedlessly in wanton disregard of the rights or safety of others, or without due caution and circumspection at a speed or in a manner that endangers or is likely to endanger any person or property so as to cripple, but not cause death. A violation is a felony punishable by up to two years of imprisonment, a fine of up to \$1,000 or both. The bill would place a substantially similar provision in the Michigan Vehicle Code, but would expand the prohibition on felonious driving to include reckless driving in a place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles.

The act also requires the secretary of state to suspend the operator's or chauffeur's license of a person convicted of felonious driving as provided in Section 319 of the Michigan Vehicle Code [MCL 257.319(2)(c)]. This provision would be repealed. [Section 319(c) requires the secretary of state to immediately suspend a person's license for one year for a violation of Section 1 of Public Act 214 of 1931.]

House Bill 4597 would amend the Code of Criminal Procedure (MCL 777.12) to specify that felonious driving would be a Class G felony against public safety, with a two-year maximum sentence of imprisonment. The bill is tie-barred to House Bill 4596.

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.