

# HOUSE BILL No. 5707

March 25, 2004, Introduced by Reps. Wenke, Howell and Bieda and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 324 (MCL 750.324).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 324. (1) ~~Any~~ A person who, by the operation of any  
2 vehicle upon ~~any~~ a highway or ~~upon~~ any other property, public  
3 or private, at an immoderate rate of speed or in a careless,  
4 reckless, or negligent manner, but not ~~wilfully~~ **willfully** or  
5 wantonly, ~~shall cause~~ **causes** the death of another, ~~shall be~~  
6 **is** guilty of a misdemeanor ~~—~~ punishable by imprisonment ~~in the~~  
7 ~~state prison~~ **for** not more than 2 years or ~~by~~ a fine of not  
8 more than \$2,000.00, or ~~by~~ both. ~~such fine and imprisonment.~~

9       (2) **For purposes of subsection (1), a person who operates a**  
10 **vehicle while fatigued is considered to be operating the vehicle**  
11 **in a reckless manner. As used in this subsection, "fatigued"**

1 means having been without sleep for a period of 24 consecutive  
2 hours or longer.