

# HOUSE BILL No. 4456

March 13, 2007, Introduced by Reps. Pearce, Rick Jones, Mayes, Farrah, Green, Meekhof, LaJoy and Ball and referred to the Committee on Transportation.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 394b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 394B. (1) A PERSON SHALL NOT ENDANGER ANOTHER PERSON BY  
2 RECKLESSLY PLACING OR CAUSING THE PLACEMENT OF AN OBSTRUCTION IN A  
3 ROADWAY.

4        (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CRIME AS  
5 FOLLOWS:

6        (A) EXCEPT AS PROVIDED IN SUBDIVISIONS (B), (C), (D), AND (E),  
7 THE PERSON IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT  
8 FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN \$100.00, OR  
9 BOTH.

10        (B) IF THE VIOLATION CAUSES PROPERTY DAMAGE, THE PERSON IS  
11 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE

1 THAN 1 YEAR OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

2 (C) IF THE VIOLATION CAUSES INJURY TO ANY PERSON, OTHER THAN  
3 SERIOUS IMPAIRMENT OR DEATH, THE PERSON IS GUILTY OF A FELONY  
4 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF  
5 NOT MORE THAN \$2,000.00, OR BOTH.

6 (D) IF THE VIOLATION CAUSES SERIOUS IMPAIRMENT TO ANY PERSON,  
7 THE PERSON IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT  
8 MORE THAN 10 YEARS OR A FINE OF NOT MORE THAN \$5,000.00, OR BOTH.

9 (E) IF THE VIOLATION CAUSES DEATH TO ANY PERSON, THE PERSON IS  
10 GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 15  
11 YEARS OR A FINE OF NOT MORE THAN \$10,000.00, OR BOTH.

12 (3) A CRIMINAL PENALTY PROVIDED FOR UNDER THIS SECTION MAY BE  
13 IMPOSED IN ADDITION TO ANY PENALTY THAT MAY BE IMPOSED FOR ANY  
14 OTHER CRIMINAL OFFENSE ARISING FROM THE SAME CONDUCT OR FOR ANY  
15 CONTEMPT OF COURT ARISING FROM THE SAME CONDUCT.

16 (4) AS USED IN THIS SECTION, "SERIOUS IMPAIRMENT" MEANS  
17 SERIOUS IMPAIRMENT OF A BODY FUNCTION AS THAT TERM IS DEFINED IN  
18 SECTION 58C OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.58C.