




Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 104 (Substitute S-3 as reported by the Committee of the Whole)
Sponsor: Senator Valde Garcia
Committee: Transportation

CONTENT

The bill would amend the Michigan Vehicle Code to establish penalties for moving violations that seriously injured or killed another person, as follows:

- A moving violation that caused the death of another person would be a misdemeanor punishable by imprisonment for up to one year or a maximum fine of \$2,000, or both.
- A moving violation that caused serious impairment of a body function of another person would be a misdemeanor punishable by up to 93 days and/or \$500.
- Reckless driving that caused serious impairment of a body function of another person would be a felony punishable by imprisonment for up to five years or a fine of at least \$1,000 and not more than \$5,000, or both, and vehicle immobilization.
- Reckless driving that caused the death of another person would be a felony punishable by imprisonment for up to 15 years or a fine of at least \$2,500 and not more than \$10,000, or both, and vehicle immobilization.

The Secretary of State would have to suspend or revoke the offender's driver license; assess a driver responsibility fee of \$1,000 each year for two consecutive years; and record six points on the offender's driving record.

The bill would require the Secretary of State to record four points for a moving violation resulting in an at-fault collision with another vehicle, a person, or any other object; and would increase the penalty from \$100 to \$125 for a civil infraction that was a moving violation that resulted in an at-fault collision with another vehicle, a person, or another object.

The bill would repeal Section 626c of the Code, which relates to felonious driving, and Sections 324 and 325, which relate to negligent homicide.

The bill would take effect October 31, 2010.

MCL 257.303 et al.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. Local units would incur the cost of misdemeanor probation and incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an average annual cost of \$2,000, and the cost of incarceration in a State facility, at an average annual cost of \$31,000. Penal fine revenue would benefit public libraries.

There would be minimal programming costs to update the Secretary of State's computer systems in order to code them for the violations in question. The bill could generate license reinstatement fee revenue. The \$125 reinstatement fee remains within the Secretary of State's budget to be used at the discretion of the Secretary of State.

Date Completed: 11-29-07

Fiscal Analyst: Joe Carrasco/Lindsay Hollander

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Analysis available @ <http://www.michiganlegislature.org>

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.