

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.234a Intentionally discharging firearm from motor vehicle, snowmobile, or off-road vehicle as crime; penalty; exceptions; other violation; consecutive terms; self-defense; "peace officer" defined.

Sec. 234a.

(1) An individual who intentionally discharges a firearm from a motor vehicle, a snowmobile, or an off-road vehicle is guilty of a crime as follows:

(a) If the violation endangers the safety of another individual, the individual is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000.00, or both.

(b) If the violation causes any physical injury to another individual, the individual is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes the serious impairment of a body function of another individual, the individual is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$25,000.00, or both.

(d) If the violation causes the death of another individual, the individual is guilty of a felony punishable by imprisonment for life or any term of years.

(2) Subsection (1) does not apply to any of the following:

(a) A peace officer of this state or another state, or of a local unit of government of this state or another state, or of the United States, performing his or her duties as a peace officer while on or off a scheduled work shift as a peace officer.

(b) An individual who discharges a firearm in self-defense or the defense of another individual.

(3) This section does not prohibit an individual from being charged with, convicted of, or punished for any other violation of law that is committed by that individual while violating this section.

(4) A term of imprisonment imposed for a violation of this section may run consecutively to any term of imprisonment imposed for another violation arising from the same transaction.

(5) As used in this section:

(a) "Peace officer" means that term as defined in section 215.

(b) "Serious impairment of a body function" means that term as defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

History: Add. 1990, Act 321, Eff. Mar. 28, 1991 ;-- Am. 1992, Act 218, Imd. Eff. Oct. 13, 1992 ;-- Am. 1996, Act 163, Imd. Eff. Apr. 11, 1996 ;-- Am. 2005, Act 303, Imd. Eff. Dec. 21, 2005 ;-- Am. 2014, Act 191, Eff. Sept. 22, 2014