

# HOUSE BILL No. 4980

October 13, 2015, Introduced by Reps. Kesto, McCreedy and Lucido and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12f of chapter XVII (MCL 777.12f), as amended by 2014 PA 220.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1  
2  
3  
4  
5

CHAPTER XVII

Sec. 12f. This chapter applies to the following felonies enumerated in sections 625 to ~~625e~~625q of chapter VI of the Michigan vehicle code, 1949 PA 300, within chapter 257 of the Michigan Compiled Laws:

| M.C.L.        | Category | Class | Description  | Stat Max |
|---------------|----------|-------|--|----------|
| 257.625(4)(a) | Person   | C     | Operating a vehicle while intoxicated or impaired or with the presence of a controlled substance causing death | 15       |

|   |                   |         |   |   |    |
|---|-------------------|---------|---|---|----|
| 1 | 257.625(4)(b)     | Person  | B | Operating a vehicle with alcohol content of 0.17 grams or more with prior conviction and causing death  | 20 |
| 2 | 257.625(4)(c)     | Person  | B | Operating a vehicle while intoxicated or impaired or with the presence of a controlled substance causing death to certain persons                 | 20 |
| 3 | 257.625(5)(a)     | Person  | E | Operating a vehicle while intoxicated or impaired or with the presence of a controlled substance causing serious impairment                       | 5  |
| 4 | 257.625(5)(b)     | Person  | D | Operating a vehicle with alcohol content of 0.17 grams or more with prior conviction and causing serious impairment                               | 10 |
| 5 | 257.625(7)(a)(ii) | Person  | E | Operating a vehicle while intoxicated or impaired or with the presence of a controlled substance with a minor in the vehicle – subsequent offense | 5  |
| 6 | 257.625(9)(c)     | Pub saf | E | Operating a vehicle while intoxicated or with the presence of a controlled substance – third or subsequent offense                                | 5  |
| 7 | 257.625(10)(b)    | Person  | E | Allowing a vehicle to be operated while intoxicated or impaired causing death   | 5  |
| 8 | 257.625(10)(c)    | Person  | G | Allowing a vehicle to be operated while intoxicated or impaired causing serious impairment  | 2  |

|   |                        |                    |              |  |               |
|---|------------------------|--------------------|--------------|--|---------------|
| 1 | 257.625(11)(c)         | Pub saf            | E            | Operating a vehicle while impaired – third or subsequent offense                         | 5             |
| 2 | <del>257.625k(7)</del> | <del>Pub saf</del> | <del>D</del> | <del>Knowingly providing false information concerning an ignition interlock device</del> | <del>10</del> |
| 3 | <del>257.625k(9)</del> | <del>Pub saf</del> | <del>D</del> | <del>Failure to report illegal ignition interlock device</del>                           | <del>10</del> |
| 4 | 257.625m(5)            | Pub saf            | E            | Commercial drunk driving – third or subsequent offense                                   | 5             |
| 5 | 257.625Q(3)            | PUB SAF            | D            | KNOWINGLY PROVIDING FALSE INFORMATION CONCERNING AN IGNITION INTERLOCK DEVICE            | 10            |
| 6 | 257.625Q(5)            | PUB SAF            | D            | FAILURE TO REPORT ILLEGAL IGNITION INTERLOCK DEVICE                                      | 10            |

7           Enacting section 1. This amendatory act takes effect 90 days  
8 after the date it is enacted into law.

9           Enacting section 2. This amendatory act does not take effect  
10 unless Senate Bill No. 176 of the 98th Legislature is enacted  
11 into law.