

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4648 (Substitute H-1 as reported without amendment)

Sponsor: Representative Randy Richardville

House Committee: Criminal Law and Corrections

Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Vehicle Code to revise vehicle immobilization provisions by mandating immobilization for certain violations; increasing minimum periods of immobilization for repeat offenses; and extending the immobilization provisions to a vehicle's co-owner or co-lessee. The bill would take effect on October 1, 1999, and is tie-barred to Senate Bill 556, which also would amend the immobilization provisions (which were added by Public Act 358 of 1998).

Currently, under provisions that will take effect on October 1, a court may order vehicle immobilization for up to 180 days for operating a vehicle while under the influence of liquor or a controlled substance (OUIL), operating a vehicle while impaired (OWI), or OUIL or OWI that causes a death or serious impairment of a bodily function. Under the bill, a court would be required to order vehicle immobilization for causing a death or serious impairment of a bodily function, and the 180-day maximum would apply to a person who had no prior conviction (i.e., any drunk driving offense, or negligent homicide, manslaughter, or murder resulting from the operation of a vehicle). The current immobilization period for a second violation of any drunk driving offense is not less than 24 days or more than 180 days. Under the bill, the minimum period would be 90 days and would apply to a conviction that occurred within seven years after a prior conviction. The current immobilization period for a third or subsequent violation is not less than six months or more than three years. Under the bill, the minimum period would be one year and would apply to a conviction within 10 years after two or more prior convictions.

The Code also allows immobilization for up to 180 days for a license suspension, revocation, or denial for driving without a license or while the driver's license was suspended or revoked, when the driver had one prior license suspension, revocation, or denial within the past seven years. The bill would add that, if the person were convicted for causing a death or serious impairment of a bodily function due to driving without a license, or while a license was suspended or revoked and the driver had no more than one previous license suspension, the court would have to order vehicle immobilization for up to 180 days.

MCL 257.904d

Legislative Analyst: P. Affholter

FISCAL IMPACT

The fiscal impact of House Bill 4648 (H-1) is indeterminate. However, the Department of State has requested \$1,748,600 in FY 1998-99 supplemental appropriations and \$2,479,000 in the FY 1999-2000 General Government appropriation bill to implement and maintain all facets of the repeat offender legislation.

Date Completed: 5-24-99

Fiscal Analyst: E. Limbs

[floor/hb4648](#)

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.