

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 6015 (Substitute H-1 as passed by the House)
Sponsor: Representative Valde Garcia
House Committee: Criminal Law and Corrections
Senate Committee: Judiciary

Date Completed: 11-29-00

CONTENT

The bill would amend the Code of Criminal Procedure to add all of the following to the sentencing guidelines:

- Failure to slow or to provide proper clearance to an emergency vehicle, causing injury, which would be categorized as a Class G felony against a person with a statutory maximum sentence of two years' imprisonment.
- Failure to slow or to provide proper clearance to an emergency vehicle, causing death, which would be categorized as a Class C felony against a person with a statutory maximum sentence of 15 years' imprisonment.
- Failure to slow or to provide proper clearance to an emergency vehicle while drunk or impaired, causing death, which would be categorized as a Class A felony against a person with a statutory maximum sentence of life in prison.

The bill is tie-barred to House Bill 5549.

(House Bill 5549 (S-1), which is before the Senate, would amend the Michigan Vehicle Code to establish requirements for drivers approaching and passing a stationary emergency vehicle under certain conditions and establish a misdemeanor penalty for a violation of the bill, as well as felony penalties for violations that injured or killed a police officer, fire fighter, or other emergency personnel.)

MCL 777.12

Legislative Analyst: P. Affholter

FISCAL IMPACT

There are no data available to indicate the bill's potential fiscal impact on State and local government. Failure to slow for an emergency vehicle would be incorporated into the sentencing guidelines as a Class G felony with a sentencing guidelines minimum range between 0-3 months and 7-23 months; failure to slow for an emergency vehicle resulting in death would be a Class C felony with a sentencing guidelines minimum range between 0-11 months and 62-114 months; and failure to slow for an emergency vehicle while drunk or impaired causing death would be a Class A felony with a sentencing guidelines minimum range between 21-35 months and 270-450, or life. Local units of government incur the cost of incarceration for offenders sentenced for less than 18 months, while the State incurs the cost of sentences longer than 18 months and felony probation.

Fiscal Analyst: K. Firestone

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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.