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**OUIL: PERSONS ALLOWED TO
CHECK BLOOD ALCOHOL
CONTENT**

House Bill 6133
Sponsor: Rep. Michael Switalski
Committee: Criminal Justice

Complete to 11-8-02

A SUMMARY OF HOUSE BILL 6133 AS INTRODUCED 5-28-02

Currently, under the Michigan Vehicle Code, a person who operates a vehicle on a public highway and who is suspected of driving under the influence of alcohol and/or a controlled substance (DUIL) must submit to chemical tests to determine the amount of alcohol, or presence of a controlled substance, or both, in his or her blood or urine. The act further specifies that only a licensed physician, or a qualified person delegated by a physician and operating in a medical environment, may withdraw blood to determine the presence of alcohol or a controlled substance. House Bill 6133 would amend the act to specify that a licensed nurse, acting at a police facility, could also withdraw blood when requested to do so by a peace officer to determine the presence of alcohol or a controlled substance. The current exemption from criminal or civil liability that applies to a licensed physician would also be extended to a nurse who withdrew or analyzed blood, or who assisted in the withdrawal or analysis, under these circumstances, unless the withdrawal or analysis was performed in a negligent manner.

MCL 257.625a

House Bill 6133 (11-8-02)

Analyst: R. Young

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