

# SENATE BILL No. 529

May 5, 2009, Introduced by Senator GEORGE and referred to the Committee on Judiciary.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
(MCL 257.1 to 257.923) by adding section 601e.

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

1           SEC. 601E. (1) A PERSON WHO COMMITS A MOVING VIOLATION AND AS  
2 A RESULT CAUSES INJURY TO A VULNERABLE ROADWAY USER ON A HIGHWAY  
3 WHO IS IN COMPLIANCE WITH THIS ACT IS GUILTY OF A MISDEMEANOR  
4 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF  
5 NOT MORE THAN \$1,000.00, OR BOTH.

6           (2) A PERSON WHO COMMITS A MOVING VIOLATION AND AS A RESULT  
7 CAUSES DEATH TO A VULNERABLE ROADWAY USER ON A HIGHWAY WHO IS IN  
8 COMPLIANCE WITH THIS ACT IS GUILTY OF A FELONY PUNISHABLE BY  
9 IMPRISONMENT FOR NOT MORE THAN 15 YEARS OR A FINE OF NOT MORE THAN

1 \$7,500.00, OR BOTH.

2 (3) THIS SECTION DOES NOT PROHIBIT A PERSON FROM BEING CHARGED  
3 WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION OF LAW  
4 ARISING OUT OF THE SAME TRANSACTION AS THE VIOLATION OF THIS  
5 SECTION.

6 (4) THE COURT MAY ORDER A TERM OF IMPRISONMENT IMPOSED FOR A  
7 VIOLATION OF THIS SECTION TO BE SERVED CONSECUTIVELY TO A TERM OF  
8 IMPRISONMENT IMPOSED FOR ANY OTHER CRIME INCLUDING ANY OTHER  
9 VIOLATION OF LAW ARISING OUT OF THE SAME TRANSACTION AS THE  
10 VIOLATION OF THIS SECTION.

11 (5) AS USED IN THIS SECTION:

12 (A) "MOVING VIOLATION" MEANS AN ACT OR OMISSION PROHIBITED  
13 UNDER THIS ACT OR A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO  
14 THIS ACT THAT OCCURS WHILE A PERSON IS OPERATING A MOTOR VEHICLE  
15 AND FOR WHICH THE PERSON IS SUBJECT TO A FINE.

16 (B) "NONMOTORIZED TRANSPORTATION DEVICE" MEANS A DEVICE IN,  
17 UPON, OR BY WHICH ANY PERSON OR PROPERTY, OR BOTH, IS OR MAY BE  
18 TRANSPORTED OR DRAWN UPON A HIGHWAY BY HUMAN POWER AND THAT IS NOT  
19 DESIGNED TO BE OPERATED BY MOTOR. NONMOTORIZED TRANSPORTATION  
20 DEVICE INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

21 (i) A CYCLE WITH 1 OR MORE WHEELS, INCLUDING, BUT NOT LIMITED  
22 TO, A BICYCLE.

23 (ii) A SKATEBOARD.

24 (iii) ROLLER SKATES OR INLINE SKATES.

25 (C) "VULNERABLE ROADWAY USER" MEANS A PEDESTRIAN OR A PERSON  
26 OPERATING A NONMOTORIZED TRANSPORTATION DEVICE.