

HOUSE BILL NO. 4690

June 25, 2025, Introduced by Reps. Linting, Pavlov, Robinson, Frisbie, Thompson, Rigas, Schriver, Beson, Steele, Kuhn, Tisdell, Fox, BeGole, DeBoer, DeBoyer, Woolford, Harris, DeSana, Green, Fairbairn, Kunse and Greene and referred to Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 479a (MCL 750.479a), as amended by 2012 PA 60.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 479a. (1) An operator of a motor vehicle or vessel who is
2 given by hand, voice, emergency light, or siren a visual or audible
3 signal by a police or conservation officer, acting in the lawful
4 performance of ~~his or her~~ **the police officer or conservation**
5 **officer's** duty, directing the operator to bring ~~his or her~~ **the**
6 **operator's** motor vehicle or vessel to a stop shall not willfully

fail to obey that direction by increasing the speed of the vehicle or vessel, extinguishing the lights of the vehicle or vessel, or otherwise attempting to flee or elude the police or conservation officer. This subsection does not apply unless the police or conservation officer giving the signal is in uniform and the officer's vehicle or vessel is identified as an official police or department of natural resources vehicle or vessel.

(2) Except as provided in subsection (3), (4), or (5), an individual who violates subsection (1) is guilty of fourth-degree fleeing and eluding, a felony punishable by imprisonment for not **less than 182 days or** more than 2 years ~~or~~ **and in addition may be ordered to pay** a fine of not more than \$2,000.00. ~~or both.~~

(3) Except as provided in subsection (4) or (5), an individual who violates subsection (1) is guilty of third-degree fleeing and eluding, a felony punishable by imprisonment for not **less than 1 year or** more than 5 years ~~or~~ **and in addition may be ordered to pay** a fine of not more than \$5,000.00, ~~or both,~~ if 1 or more of the following circumstances apply:

(a) The violation results in a collision or accident.

(b) For a motor vehicle, a portion of the violation occurred in an area where the speed limit is 35 miles an hour or less, whether that speed limit is posted or imposed as a matter of law or, for a vessel, a portion of the violation occurred in an area designated as "slow-no wake", "no wake", or "restricted" whether the area is posted or created by law or administrative rule.

(c) The individual has a prior conviction for fourth-degree fleeing and eluding, attempted fourth-degree fleeing and eluding, or fleeing and eluding under a current or former law of this state prohibiting substantially similar conduct.

(4) Except as provided in subsection (5), an individual who violates subsection (1) is guilty of second-degree fleeing and eluding, a felony punishable by imprisonment for not **less than 2 years or** more than 10 years ~~or and in addition may be ordered to pay~~ a fine of not more than \$10,000.00, ~~or both,~~ if 1 or more of the following circumstances apply:

(a) The violation results in serious impairment of a body function of an individual.

(b) The individual has 1 or more prior convictions for first-, second-, or third-degree fleeing and eluding, attempted first-, second-, or third-degree fleeing and eluding, or fleeing and eluding under a current or former law of this state prohibiting substantially similar conduct.

(c) The individual has any combination of 2 or more prior convictions for fourth-degree fleeing and eluding, attempted fourth-degree fleeing and eluding, or fleeing and eluding under a current or former law of this state prohibiting substantially similar conduct.

(5) If the violation results in the death of another individual, an individual who violates subsection (1) is guilty of first-degree fleeing and eluding, a felony punishable by imprisonment for not **less than 5 years or** more than 15 years ~~or and in addition may be ordered to pay~~ a fine of not more than \$15,000.00. ~~, or both.~~

(6) ~~Upon~~ **On** a conviction for a violation or attempted violation under subsection (2) or (3), the following apply:

(a) If the individual was operating a motor vehicle, the secretary of state shall suspend the individual's operator's or chauffeur's license as provided in section 319 of the Michigan

1 vehicle code, 1949 PA 300, MCL 257.319.

2 (b) If the individual was operating a vessel, the individual's
3 privilege to operate a vessel ~~shall~~**must** be suspended for a period
4 not to exceed 5 years.

5 (7) ~~Upon~~**On** a conviction for a violation or attempted
6 violation under subsection (4) or (5), the following apply:

7 (a) If the individual was operating a motor vehicle, the
8 secretary of state shall revoke the individual's operator's or
9 chauffeur's license as provided in section 303 of the Michigan
10 vehicle code, 1949 PA 300, MCL 257.303.

11 (b) If the individual was operating a vessel, the individual's
12 privilege to operate a vessel ~~shall~~**must** be revoked for a period of
13 not less than 5 years.

14 (8) Except as otherwise provided in this subsection, a
15 conviction under this section does not prohibit a conviction and
16 sentence under any other applicable provision for conduct arising
17 out of the same transaction. A conviction under subsection (2),
18 (3), (4), or (5) prohibits a conviction under section 602a of the
19 Michigan vehicle code, 1949 PA 300, MCL 257.602a, for conduct
20 arising out of the same transaction.

21 (9) As used in this section:

22 (a) "Prior conviction" means:

23 (i) For a violation of this section while operating a motor
24 vehicle, the person had a previous conviction for a violation of
25 this section while operating a motor vehicle or a previous
26 conviction for fleeing and eluding under a current or former law of
27 this state prohibiting substantially similar conduct while
28 operating a motor vehicle.

29 (ii) For a violation of this section while operating a vessel,

1 the person had a previous conviction for a violation of this
2 section while operating a vessel.

3 (b) "Serious impairment of a body function" means that term as
4 defined in section 58c of the Michigan vehicle code, 1949 PA 300,
5 MCL 257.58c.

6 (c) "Vessel" means that term as defined in section 80104 of
7 the natural resources and environmental protection act, 1994 PA
8 451, MCL 324.80104.

9 (10) This section ~~shall be known and~~ may be cited as the
10 "Lieutenant Donald Bezenah law".

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

13 Enacting section 2. This amendatory act does not take effect
14 unless House Bill No. 4691 (request no. H03639'25) of the 103rd
15 Legislature is enacted into law.