

# HOUSE BILL NO. 4691

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

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 602a (MCL 257.602a), as amended by 1999 PA 73.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 602a. (1) A driver of a motor vehicle who is given by  
2 hand, voice, emergency light, or siren a visual or audible signal  
3 by a police or conservation officer, acting in the lawful  
4 performance of ~~his or her~~ **the police officer's or conservation**  
5 **officer's** duty, directing the driver to bring ~~his or her~~ **the**  
6 **driver's** motor vehicle to a stop shall not willfully fail to obey

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

7 (2) Except as provided in subsection (3), (4), or (5), an  
8 individual who violates subsection (1) is guilty of fourth-degree  
9 fleeing and eluding, a felony punishable by imprisonment for not  
10 **less than 182 days or** more than 2 years ~~or~~ **and in addition may be**  
11 **ordered to pay** a fine of not more than \$500.00. ~~, or both.~~

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

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

19 (b) A portion of the violation occurred in an area where the  
20 speed limit is 35 miles an hour or less, whether that speed limit  
21 is posted or imposed as a matter of law.

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

26 (4) Except as provided in subsection (5), an individual who  
27 violates subsection (1) is guilty of second-degree fleeing and  
28 eluding, a felony punishable by imprisonment for not **less than 2**  
29 **years or** more than 10 years ~~or~~ **and in addition may be ordered to**

1 **pay** a fine of not more than \$5,000.00, ~~or both,~~ if 1 or more of the  
2 following circumstances apply:

3 (a) The violation results in serious injury to an individual.

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

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

14 (5) If the violation results in the death of another  
15 individual, an individual who violates subsection (1) is guilty of  
16 first-degree fleeing and eluding, a felony punishable by  
17 imprisonment for not **less than 5 years or** more than 15 years ~~or and~~  
18 **in addition may be ordered to pay** a fine of not more than  
19 \$10,000.00. ~~, or both.~~

20 (6) A conviction under this section does not prohibit a  
21 conviction and sentence under any other applicable provision,  
22 except section 479a(2), (3), (4), or (5) of the Michigan penal  
23 code, 1931 PA 328, MCL 750.479a, for conduct arising out of the  
24 same transaction.

25 (7) As used in this section, "serious injury" means a physical  
26 injury that is not necessarily permanent, but that constitutes  
27 serious bodily disfigurement or that seriously impairs the  
28 functioning of a body organ or limb. Serious injury includes, but  
29 is not limited to, 1 or more of the following:

1 (a) Loss of a limb or use of a limb.

2 (b) Loss of a hand, foot, finger, or thumb or use of a hand,  
3 foot, finger, or thumb.

4 (c) Loss of an eye or ear or use of an eye or ear.

5 (d) Loss or substantial impairment of a bodily function.

6 (e) Serious visible disfigurement.

7 (f) A comatose state that lasts for more than 3 days.

8 (g) Measurable brain damage or mental impairment.

9 (h) A skull fracture or other serious bone fracture.

10 (i) Subdural hemorrhage or hematoma.

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. 4690 (request no. H03427'25) of the 103rd  
15 Legislature is enacted into law.