

SUBSTITUTE FOR
HOUSE BILL NO. 5562
(As amended March 5, 2008)

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 81e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 81E. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN
2 INDIVIDUAL WHO ASSAULTS OR BATTERS ANOTHER INDIVIDUAL UNDER ANY OF
3 THE FOLLOWING CIRCUMSTANCES AND CAUSES ANY BODILY INJURY TO THAT
4 OTHER INDIVIDUAL IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT
5 FOR NOT MORE THAN [2] YEARS OR A FINE OF NOT MORE THAN \$2,000.00, OR
6 BOTH:

7 (A) THE OTHER INDIVIDUAL IS IN A LOCATION DESIGNATED IN
8 COMPLIANCE WITH STATE OR LOCAL LAW AS AN AREA FOR USE BY PUBLIC
9 TRANSIT VEHICLES IN PICKING UP OR DISCHARGING PASSENGERS.

10 (B) THE OTHER INDIVIDUAL IS IN A FACILITY OR AREA THAT IS

1 OWNED OR OPERATED BY A PUBLIC TRANSIT AUTHORITY AND THAT IS FOR USE
2 IN PROVIDING TRANSPORTATION SERVICES TO THE GENERAL PUBLIC,
3 INCLUDING A PARKING LOT FOR VISITORS.

4 (2) A PERSON WHO VIOLATES THIS SECTION AND BY THAT VIOLATION
5 CAUSES A BODILY INJURY REQUIRING MEDICAL ATTENTION OR MEDICAL CARE
6 TO AN INDIVIDUAL DESCRIBED IN THIS SECTION IS GUILTY OF A FELONY
7 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF
8 NOT MORE THAN \$5,000.00, OR BOTH.

9 (3) A PERSON WHO VIOLATES THIS SECTION AND BY THAT VIOLATION
10 CAUSES SERIOUS IMPAIRMENT OF A BODY FUNCTION OF AN INDIVIDUAL
11 DESCRIBED IN THIS SECTION IS GUILTY OF A FELONY PUNISHABLE BY
12 IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR A FINE OF NOT MORE THAN
13 \$10,000.00, OR BOTH.

14 (4) A PERSON WHO VIOLATES THIS SECTION AND BY THAT VIOLATION
15 CAUSES THE DEATH OF AN INDIVIDUAL DESCRIBED IN THIS SECTION IS
16 GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 20
17 YEARS OR A FINE OF NOT MORE THAN \$20,000.00, OR BOTH.

18 (5) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING
19 CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION OF
20 LAW THAT IS COMMITTED BY THAT INDIVIDUAL WHILE VIOLATING THIS
21 SECTION.

22 (6) AS USED IN THIS SECTION:

23 (A) "PUBLIC TRANSIT AUTHORITY" MEANS AN ENTITY OF A LOCAL UNIT
24 OF GOVERNMENT OF THIS STATE OR A COMBINATION OF LOCAL UNITS OF
25 GOVERNMENT OF THIS STATE THAT IS AUTHORIZED BY LAW TO PROVIDE
26 TRANSPORTATION SERVICES TO THE GENERAL PUBLIC.

27 (B) "PUBLIC TRANSIT VEHICLE" MEANS A VEHICLE USED BY A PUBLIC

1 TRANSIT AUTHORITY TO PROVIDE TRANSPORTATION SERVICES TO THE GENERAL
2 PUBLIC.

3 (C) "SERIOUS IMPAIRMENT OF BODY FUNCTION" MEANS THAT TERM AS
4 DEFINED IN SECTION 58C OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
5 MCL 257.58C.

6 Enacting section 1. This amendatory act takes effect June 1,
7 2008.

8 Enacting section 2. This amendatory act does not take effect
9 unless House Bill No. 5560 of the 94th Legislature is enacted into
10 law.