

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

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Senate Bills 167, 168, and 169  
Sponsor: Senator Vern Ehlers  
Committee: Judiciary

Date Completed: 5-4-89

**SUMMARY OF SENATE BILLS 167, 168, and 169 as introduced 2-22-89:**

Senate Bills 167, 168, and 169 would amend the Michigan Vehicle Code, the Aeronautics Code of the State of Michigan, and the Marine Safety Act, respectively, to provide for the testing for alcohol or controlled substances of a person who operated a motor vehicle, an aircraft, or a watercraft if the person were arrested for an offense that resulted in a serious or aggravated injury to, or the death of, a person. In addition, the results of such tests would be admissible as evidence in a criminal prosecution of the person for that offense.

Each of the Acts currently provides for testing, and the admissibility of the test results, if the person is arrested for operating a vehicle while under the influence of, or impaired by, alcohol or controlled substances or for manslaughter. The Michigan Vehicle Code also allows testing of persons arrested for felonious driving or negligent homicide; and the Aeronautics Code allows testing of persons arrested for operating an aircraft within eight hours after consuming alcohol or a controlled substance.

The Michigan Vehicle Code and the Aeronautics Code specify that an operator of a vehicle or aircraft, respectively, "is considered to have given consent to chemical tests". The Marine Safety Act provides that an operator of a vessel "may be requested by a peace officer to submit to chemical tests".

MCL 257.625a and 257.625c (S.B. 167)  
259.187 and 259.188 (S.B. 168)  
281.1073a and 281.1073c (S.B. 169)

Legislative Analyst: P. Affholter

**FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: F. Sanchez

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.