

HOUSE BILL No. 4925

June 7, 2001, Introduced by Reps. Ruth Johnson, Pappageorge, Rocca, Gosselin, Bradstreet and Birkholz and referred to the Committee on Criminal Justice.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82147 (MCL 324.82147), as added by 1995 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 82147. (1) Notwithstanding a court order issued under
2 section 82127(1), (3), (4), or (5), former section 15a(1), (3),
3 (4), or (5) of ~~Act No. 74 of the Public Acts of 1968~~ 1968 PA
4 74, sections 82141 to 82142, or a local ordinance substantially
5 corresponding to section 82127(1) or (3), or sections 82141 to
6 82142, if a court has not ordered a person not to operate a snow-
7 mobile as authorized by this part, the secretary of state shall
8 issue an order that the person not operate a snowmobile as
9 follows:

1 (a) For not less than 90 days or more than 1 year, upon
2 receiving a record of the conviction of the person for a
3 violation of section 82127(3), former section 15a(3) of ~~Act~~
4 ~~No. 74 of the Public Acts of 1968~~ 1968 PA 74, a local ordinance
5 substantially corresponding to section 82127(3), or a law of
6 another state substantially corresponding to section 82127(3), if
7 the person has no prior convictions within 7 years for a viola-
8 tion of section 82127(1), (3), (4), or (5), former
9 section 15a(1), (3), (4), or (5) of ~~Act No. 74 of the Public~~
10 ~~Acts of 1968~~ 1968 PA 74, or former section 15a, a local ordi-
11 nance substantially corresponding to section 82127(1) or (3) or
12 former section 15a, or a law of another state substantially cor-
13 responding to section 82127(1), (3), (4), or (5) or former
14 section 15a.

15 (b) A violation of section 324, 413, or 414 of the Michigan
16 penal code, ~~Act No. 328 of the Public Acts of 1931, being~~
17 ~~sections 750.324, 750.413, and 750.414 of the Michigan Compiled~~
18 ~~Laws~~ 1931 PA 328, MCL 750.324, 750.413, AND 750.414; or a viola-
19 tion of section ~~1 of Act No. 214 of the Public Acts of 1931,~~
20 ~~being section 752.191 of the Michigan Compiled Laws~~ 626C OF THE
21 MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.626C.

22 (c) For not less than 6 months or more than 2 years, if the
23 person has the following convictions within a 7-year period,
24 whether under the law of this state, a local ordinance substan-
25 tially corresponding to a law of this state, or a law of another
26 state substantially corresponding to a law of this state:

1 (i) One conviction under section 82127(1), former
2 section 15a(1) of ~~Act No. 74 of the Public Acts of 1968~~ 1968 PA
3 74, or former section 15a.

4 (ii) Two convictions under section 82127(3), former
5 section 15a(3) of ~~Act No. 74 of the Public Acts of 1968~~ 1968 PA
6 74, or former section 15a.

7 (iii) One conviction under section 82127(1) or former
8 section 15a(1) of ~~Act No. 74 of the Public Acts of 1968~~ 1968 PA
9 74 and 1 conviction under section 82127(3), former section 15a(3)
10 of ~~Act No. 74 of the Public Acts of 1968~~ 1968 PA 74, or former
11 section 15a.

12 (iv) One conviction under section 82127(4) or (5) or former
13 section 15a(4) or (5) of ~~Act No. 74 of the Public Acts of 1968~~
14 1968 PA 74 followed by 1 conviction under section 82127(3) or
15 former section 15a(3) of ~~Act No. 74 of the Public Acts of 1968~~
16 1968 PA 74.

17 (2) If the secretary of state receives records of more than
18 1 conviction or probate court disposition of a person resulting
19 from the same incident, a suspension shall be imposed only for
20 the violation to which the longest period of suspension applies
21 under this section.

22 Enacting section 1. This amendatory act does not take
23 effect unless House Bill No. 4596 of the 91st Legislature is
24 enacted into law.