

HOUSE BILL NO. 5857

June 11, 2020, Introduced by Reps. O'Malley, Yancey, Lasinski, Brenda Carter, Tyrone Carter, Hope, Whitsett, Hood, Sneller, Sabo, Warren, Sowerby, Cambensy, Clemente, Cherry, Manoogian, Kuppa, Stone, Hoadley, Brann, Guerra, Gay-Dagnogo, Kahle, Wozniak, Brixie, Peterson, Bolden, Meerman, Ellison, Wittenberg, Hammoud, Kennedy and Cynthia Johnson and referred to the Committee on Judiciary.

A bill to amend 1993 PA 354, entitled
"Railroad code of 1993,"
by amending sections 257 and 267 (MCL 462.257 and 462.267).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 257. (1) A person who causes or attempts to cause the
2 derailment of an engine, cars, or track vehicle used on railroad
3 tracks by ~~the placing of an impediment upon~~ **on** the track of a
4 railroad, whether the engine, cars, or track vehicle are thrown
5 from the track or not, or who by any other means whatsoever ~~shall~~
6 willfully ~~endanger~~ **endangers** or ~~attempt~~ **attempts** to endanger the

1 lives of persons engaged in the work of the railroad, or persons
2 traveling on the engine or cars of the railroad, is guilty of a
3 felony and ~~subject to imprisonment for life,~~ **punishable by**
4 **imprisonment for life** or any ~~number-term~~ of years, in the
5 discretion of the court. It ~~shall-is~~ not ~~be-~~necessary for the
6 people to allege or prove that the person intended to injure or
7 endanger the life of any particular person or persons.

8 (2) A person who throws a stone, brick, or other missile at a
9 train or track vehicle is guilty of a misdemeanor punishable by a
10 fine of not less than \$100.00 or more than \$500.00, or imprisonment
11 for not ~~less than 10 or~~ more than 90 days, or both.

12 Sec. 267. (1) A person not authorized by a railroad company
13 shall not destroy, remove, change, extinguish, or tamper with ~~in~~
14 ~~any manner,~~ any light or banner attached to or connected with any
15 switch or derailing device maintained by a railroad company.

16 (2) A person who violates this section is guilty of a
17 misdemeanor ~~,~~ punishable by a fine of not less than \$100.00 ~~,~~ or
18 more than \$500.00 ~~,~~ or by imprisonment for not ~~less than 10 days or~~
19 more than 60 days.