

DRAFT 1
SUBSTITUTE FOR
HOUSE BILL NO. 4918

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 81g. (1) A person who assaults or assaults and batters an**
2 **individual while the individual is performing the individual's**
3 **duties as the operator of a bus, street railway vehicle, or train,**
4 **or because of the individual's status as an employee or contractor**
5 **of a bus service, street railway service, or railroad, is guilty of**
6 **a misdemeanor punishable by imprisonment for not more than 93 days**
7 **or a fine of not more than \$1,000.00, or both. A violation of this**
8 **subsection after a prior conviction of this section is a**
9 **misdemeanor punishable by imprisonment for not more than 180 days**



1 or a fine of not more than \$2,000.00, or both.

2 (2) A person who assaults an individual without a weapon and
3 inflicts serious or aggravated injury on that individual without
4 intending to commit murder or to inflict great bodily harm less
5 than murder on an individual while the individual is performing the
6 individual's duties as the operator of a bus, street railway
7 vehicle, or train, or because of the individual's status as an
8 employee or contractor of a bus service, street railway service, or
9 railroad, is guilty of a misdemeanor punishable by imprisonment for
10 not more than 1 year or a fine of not more than \$2,000.00, or both.
11 A violation of this subsection after a prior conviction of this
12 section is a felony punishable by imprisonment for not more than 2
13 years or a fine of not more than \$4,000.00, or both.

14 (3) A person who assaults an individual with a gun, revolver,
15 pistol, knife, iron bar, club, brass knuckles, or other dangerous
16 weapon without intending to commit murder or to inflict great
17 bodily harm less than murder while the individual is performing the
18 individual's duties as the operator of a bus, street railway
19 vehicle, or train, or because of the individual's status as an
20 employee or contractor of a bus service, street railway service, or
21 railroad, is guilty of a felony punishable by imprisonment for not
22 more than 4 years or a fine of not more than \$4,000.00, or both. A
23 violation of this subsection after a prior conviction of this
24 section is a felony punishable by imprisonment for not more than 8
25 years or a fine of not more than \$8,000.00, or both.

26 (4) This section does not prohibit a person from being charged
27 with, convicted of, or punished for any other violation of law
28 arising out of the same transaction as the violation of this
29 section.



1 (5) As used in this section:

2 (a) "Bus" means that term as defined in section 4b of the
3 Michigan vehicle code, 1949 PA 300, MCL 257.4b.

4 (b) "Railroad" means that term as defined in section 109 of
5 the railroad code of 1993, 1993 PA 354, MCL 462.109.

6 (c) "Street railway service" means 1 or both of the following:

7 (i) A street railway as that term is defined in section 109 of
8 the railroad code of 1993, 1993 PA 354, MCL 462.109.

9 (ii) A street railway system as that term is defined in section
10 507 of the recodified tax increment financing act, 2018 PA 57, MCL
11 125.4507.

12 (d) "Street railway vehicle" means a streetcar, trolley, or
13 tram that is operated on a rail.

14 (e) "Train" means railroad train as that term is defined in
15 section 49 of the Michigan vehicle code, 1949 PA 300, MCL 257.49.

16 Enacting section 1. This amendatory act takes effect 90 days
17 after the date it is enacted into law.

