



# HOUSE BILL No. 6093

September 18, 1996, Introduced by Reps. Cherry, Martinez, Harder, LaForge, Prusi, Agee, Pitoniak, DeMars, Scott, Hanley and Brater and referred to the Committee on Transportation.

A bill to amend section 320 of Act No. 300 of the Public Acts of 1949, entitled as amended  
"Michigan vehicle code,"  
as amended by Act No. 310 of the Public Acts of 1982, being section 257.320 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 320 of Act No. 300 of the Public Acts of  
2 1949, as amended by Act No. 310 of the Public Acts of 1982, being  
3 section 257.320 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 320. (1) The secretary of state after notice as pro-  
6 vided in this section may conduct an investigation and reexamina-  
7 tion of a person, based upon 1 or more of the following:

8 (a) The secretary of state has reason to believe that the  
9 person is incompetent to drive a motor vehicle or is afflicted

1 with a mental or physical infirmity or disability rendering it  
2 unsafe for that person to drive a motor vehicle.

3 (b) The person, as a driver, has in 1 or more instances been  
4 involved in an accident resulting in the death of a person.

5 (c) The person, within a 24-month period, has been involved  
6 in 3 accidents resulting in personal injury or damage to the  
7 property of a person, and the official police report indicates a  
8 moving violation on the part of the driver in each of the  
9 accidents.

10 (d) The person has charged against him or her a total of 12  
11 or more points as provided in section 320a within a period of 2  
12 years.

13 (e) The person has been convicted of violating restrictions,  
14 terms, or conditions of the person's license.

15 (2) The secretary of state, upon good cause, may restrict,  
16 suspend, revoke, or impose other terms and conditions on the  
17 license of a person subject to reexamination and require the  
18 immediate surrender of the license of that person. The secretary  
19 of state shall, in all cases, prescribe the period of restric-  
20 tion, suspension, revocation, or other terms and conditions.

21 (3) Service of notice shall be made by ~~regular~~ REGISTERED  
22 mail to the last known address of the licensee as shown on the  
23 most recent license application or change of address on the  
24 license as provided by section 315.

25 (4) A license shall not be suspended under this section for  
26 a period of more than 1 year.

1       (5) The reexamination may be held by the secretary of state  
2 pursuant to this section notwithstanding any restriction,  
3 suspension, revocation, or denial of a license under this sec-  
4 tion, section 303 or 319, chapter V, section 625 or 625b, or  
5 under any other law of this state. A suspension ordered pursuant  
6 to this section shall be in addition to other suspensions.

7       (6) If a licensed operator or chauffeur fails to appear for  
8 a reexamination scheduled by the secretary of state pursuant to  
9 this section, the licensed operator's or chauffeur's license may  
10 be suspended immediately and shall remain suspended until the  
11 licensed operator or chauffeur appears for a reexamination by the  
12 secretary of state. However, the secretary of state may  
13 restrict, suspend, or revoke the license based solely on the  
14 licensed operator's or chauffeur's driving record.