

# HOUSE BILL No. 4600

May 14, 2015, Introduced by Reps. Vaupel, Kelly, Maturen, Lucido, Santana, Neeley, Canfield, Cole and Brett Roberts and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 310 (MCL 257.310), as amended by 2013 PA 27.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 310. (1) The secretary of state shall issue an operator's  
2 license to each person licensed as an operator and a chauffeur's  
3 license to each person licensed as a chauffeur. An applicant for a  
4 motorcycle indorsement under section 312a or a vehicle group  
5 designation or indorsement shall first qualify for an operator's or  
6 chauffeur's license before the indorsement or vehicle group  
7 designation application is accepted and processed. An original  
8 license or the first renewal of an existing license issued to a  
9 person less than 21 years of age shall be portrait or vertical in  
10 form and a license issued to a person 21 years of age or over shall

1 be landscape or horizontal in form.

2 (2) The license issued under subsection (1) shall contain all  
3 of the following:

4 (a) The distinguishing number permanently assigned to the  
5 licensee.

6 (b) The full legal name, date of birth, address of residence,  
7 height, eye color, sex, digital photographic image, expiration  
8 date, and signature of the licensee.

9 (c) In the case of a licensee who has indicated his or her  
10 wish to participate in the anatomical gift donor registry under  
11 part 101 of the public health code, 1978 PA 368, MCL 333.10101 to  
12 333.10123, a heart insignia on the front of the license.

13 (d) Physical security features designed to prevent tampering,  
14 counterfeiting, or duplication of the license for fraudulent  
15 purposes.

16 (e) If requested by an individual who is a veteran of the  
17 armed forces of this state, another state, or the United States,  
18 other than an individual who was dishonorably discharged from the  
19 armed forces of this state, another state, or the United States, a  
20 designation that the individual is a veteran. The designation shall  
21 be in a style and format considered appropriate by the secretary of  
22 state. The secretary of state shall require proof of discharge or  
23 separation of service from the armed forces of this state, another  
24 state, or the United States, and the nature of that discharge, for  
25 the purposes of verifying an individual's status as a veteran under  
26 this subdivision. The secretary of state shall consult with the  
27 department of military and veterans affairs in determining the

1 proof that shall be required to identify an individual's status as  
2 a veteran for the purposes of this subsection. The secretary of  
3 state may provide the department of military and veterans affairs  
4 and agencies of the counties of this state that provide veteran  
5 services with information provided by an applicant under this  
6 subsection for the purpose of veterans' benefits eligibility  
7 referral.

8 (3) Except as otherwise required under this chapter, other  
9 information required on the license pursuant to this chapter may  
10 appear on the license in a form prescribed by the secretary of  
11 state.

12 (4) The license shall not contain a fingerprint or finger  
13 image of the licensee.

14 (5) A digitized license may contain an identifier for voter  
15 registration purposes. The digitized license may contain  
16 information appearing in electronic or machine readable codes  
17 needed to conduct a transaction with the secretary of state. ~~The~~  
18 **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE** information  
19 shall be limited to the person's driver license number, birth date,  
20 full legal name, date of transaction, gender, address, state of  
21 issuance, license expiration date, and other information necessary  
22 for use with electronic devices, machine readers, or automatic  
23 teller machines and shall not contain the driving record or other  
24 personal identifier. **BEGINNING ON THE DATE IN 2018 WHEN THE**  
25 **SECRETARY OF STATE ENTERS INTO A NEW CONTRACT WITH A THIRD PARTY**  
26 **VENDOR FOR THE PRODUCTION OF OPERATOR'S LICENSES, IF THE APPLICANT**  
27 **ANSWERS "YES" IN RESPONSE TO AN INQUIRY UNDER SUBSECTION (20), THE**

1 DIGITIZED LICENSE MAY CONTAIN A "DNR" OR AN "NHM" DESIGNATION  
2 APPEARING IN ELECTRONIC OR MACHINE READABLE CODES. The license  
3 shall identify the encoded information. AS USED IN THIS SUBSECTION  
4 AND SUBSECTION (20):

5 (A) "DNR" MEANS DO NOT RESUSCITATE.

6 (B) "NHM" MEANS NO HEROIC MEASURES.

7 (6) The license shall be manufactured in a manner to prohibit  
8 as nearly as possible the ability to reproduce, alter, counterfeit,  
9 forge, or duplicate the license without ready detection. In  
10 addition, a license with a vehicle group designation shall contain  
11 the information required under 49 CFR part 383.

12 (7) Except as provided in subsection (11), a person who  
13 intentionally reproduces, alters, counterfeits, forges, or  
14 duplicates a license photograph, the negative of the photograph,  
15 image, license, or electronic data contained on a license or a part  
16 of a license or who uses a license, image, or photograph that has  
17 been reproduced, altered, counterfeited, forged, or duplicated is  
18 subject to 1 of the following:

19 (a) If the intent of the reproduction, alteration,  
20 counterfeiting, forging, duplication, or use is to commit or aid in  
21 the commission of an offense that is a felony punishable by  
22 imprisonment for 10 or more years, the person committing the  
23 reproduction, alteration, counterfeiting, forging, duplication, or  
24 use is guilty of a felony, punishable by imprisonment for not more  
25 than 10 years or a fine of not more than \$20,000.00, or both.

26 (b) If the intent of the reproduction, alteration,  
27 counterfeiting, forging, duplication, or use is to commit or aid in

1 the commission of an offense that is a felony punishable by  
2 imprisonment for less than 10 years or a misdemeanor punishable by  
3 imprisonment for 6 months or more, the person committing the  
4 reproduction, alteration, counterfeiting, forging, duplication, or  
5 use is guilty of a felony, punishable by imprisonment for not more  
6 than 5 years, or a fine of not more than \$10,000.00, or both.

7 (c) If the intent of the reproduction, alteration,  
8 counterfeiting, forging, duplication, or use is to commit or aid in  
9 the commission of an offense that is a misdemeanor punishable by  
10 imprisonment for less than 6 months, the person committing the  
11 reproduction, alteration, counterfeiting, forging, duplication, or  
12 use is guilty of a misdemeanor punishable by imprisonment for not  
13 more than 1 year or a fine of not more than \$2,000.00, or both.

14 (8) Except as provided in subsections (11) and (16), a person  
15 who sells, or who possesses with the intent to deliver to another,  
16 a reproduced, altered, counterfeited, forged, or duplicated license  
17 photograph, negative of the photograph, image, license, or  
18 electronic data contained on a license or part of a license is  
19 guilty of a felony punishable by imprisonment for not more than 5  
20 years or a fine of not more than \$10,000.00, or both.

21 (9) Except as provided in subsections (11) and (16), a person  
22 who is in possession of 2 or more reproduced, altered,  
23 counterfeited, forged, or duplicated license photographs, negatives  
24 of the photograph, images, licenses, or electronic data contained  
25 on a license or part of a license is guilty of a felony punishable  
26 by imprisonment for not more than 5 years or a fine of not more  
27 than \$10,000.00, or both.

1           (10) Except as provided in subsection (16), a person who is in  
2 possession of a reproduced, altered, counterfeited, forged, or  
3 duplicated license photograph, negative of the photograph, image,  
4 license, or electronic data contained on a license or part of a  
5 license is guilty of a misdemeanor punishable by imprisonment for  
6 not more than 1 year or a fine of not more than \$2,000.00, or both.

7           (11) Subsections (7)(a) and (b), (8), and (9) do not apply to  
8 a minor whose intent is to violate section 703 of the Michigan  
9 liquor control code of 1998, 1998 PA 58, MCL 436.1703.

10           (12) The secretary of state, upon determining after an  
11 examination that an applicant is mentally and physically qualified  
12 to receive a license, may issue the applicant a temporary driver's  
13 permit. The temporary driver's permit entitles the applicant, while  
14 having the permit in his or her immediate possession, to operate a  
15 motor vehicle upon the highway for a period not exceeding 60 days  
16 before the secretary of state has issued the applicant an  
17 operator's or chauffeur's license. The secretary of state may  
18 establish a longer duration for the validity of a temporary  
19 driver's permit if necessary to accommodate the process of  
20 obtaining a background check that is required for an applicant by  
21 federal law.

22           (13) An operator or chauffeur may indicate on the license in a  
23 place designated by the secretary of state his or her blood type,  
24 emergency contact information, immunization data, medication data,  
25 or a statement that the licensee is deaf. The secretary of state  
26 shall not require an applicant for an original or renewal  
27 operator's or chauffeur's license to provide emergency contact

1 information as a condition of obtaining a license. However, the  
2 secretary of state may inquire whether an operator or chauffeur  
3 would like to provide emergency contact information. Emergency  
4 contact information obtained under this subsection shall be  
5 disclosed only to a state or federal law enforcement agency for law  
6 enforcement purposes or to the extent necessary for a medical  
7 emergency.

8 (14) An operator or chauffeur may indicate on the license in a  
9 place designated by the secretary of state that he or she has  
10 designated a patient advocate in accordance with sections 5506 to  
11 5515 of the estates and protected individuals code, 1998 PA 386,  
12 MCL 700.5506 to 700.5515.

13 (15) If the applicant provides proof to the secretary of state  
14 that he or she is a minor who has been emancipated under 1968 PA  
15 293, MCL 722.1 to 722.6, the license shall bear the designation of  
16 the individual's emancipated status in a manner prescribed by the  
17 secretary of state.

18 (16) Subsections (8), (9), and (10) do not apply to a person  
19 who is in possession of 1 or more photocopies, reproductions, or  
20 duplications of a license to document the identity of the licensee  
21 for a legitimate business purpose.

22 (17) A sticker or decal may be provided by any person,  
23 hospital, school, medical group, or association interested in  
24 assisting in implementing an emergency medical information card,  
25 but shall meet the specifications of the secretary of state. An  
26 emergency medical information card may contain information  
27 concerning the licensee's patient advocate designation, other

1 emergency medical information, or an indication as to where the  
2 licensee has stored or registered emergency medical information.

3 (18) The secretary of state shall inquire of each licensee, in  
4 person or by mail, whether the licensee agrees to participate in  
5 the anatomical gift donor registry under part 101 of the public  
6 health code, 1978 PA 368, MCL 333.10101 to 333.10123.

7 (19) A licensee who has agreed to participate in the  
8 anatomical gift donor registry under part 101 of the public health  
9 code, 1978 PA 368, MCL 333.10101 to 333.10123, shall not be  
10 considered to have revoked that agreement solely because the  
11 licensee's license has been revoked or suspended or has expired.  
12 Enrollment in the donor registry constitutes a legal agreement that  
13 remains binding and in effect after the donor's death regardless of  
14 the expressed desires of the deceased donor's next of kin who may  
15 oppose the donor's anatomical gift.

16 (20) THE SECRETARY OF STATE SHALL INQUIRE OF EACH APPLICANT IF  
17 HE OR SHE WISHES TO HAVE A "DNR" OR "NHM" DESIGNATION APPEARING ON  
18 HIS OR HER LICENSE AS PROVIDED IN SUBSECTION (5).