

ELECTRONIC PROOF OF VEHICLE REGISTRATION

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4013 (reported from committee as H-1)

Sponsor: Rep. Peter J. Lucido

Committee: Insurance

Complete to (3-3-17)

Analysis available at
<http://www.legislature.mi.gov>

(Public Act 59 of 2017)

BRIEF SUMMARY: House Bill 4013 (H-1) would amend the Michigan Vehicle Code (MCL 257.223) to allow for an electronic copy or digital photograph of a vehicle registration certificate to satisfy the requirement that the appropriate registration certificate must be carried in a motor vehicle or carried by the person driving the vehicle. A paper copy would still serve to satisfy the requirement. The bill would take effect 90 days after being enacted.

FISCAL IMPACT: This bill would have no fiscal impact on the Department of State Police or local law enforcement agencies. The bill would not affect current fee revenues and would have no fiscal impact on the Department of State.

THE APPARENT PROBLEM:

Michigan statute currently allows for individuals to display electronic proof of vehicle **insurance**, but not electronic proof of vehicle **registration**.

THE CONTENT OF THE BILL:

House Bill 4013 (H-1) would amend the Michigan Vehicle Code (MCL 257.223) to allow for an electronic copy or digital photograph of a vehicle registration certificate to satisfy the requirement that the appropriate registration certificate must be carried in a motor vehicle or carried by the person driving the vehicle. A paper copy would still serve to satisfy the requirement. The bill would take effect 90 days after being enacted.

Under House Bill 4013 (H-1), upon request of a police officer, an individual could display an electronic copy of the registration certificate, and the following would apply:

** The police officer could only view the electronic copy of the certificate and would be prohibited from manipulating the device to view any other information on the device. A person who displayed a registration certificate using an electronic device would not be presumed to have consented to a search of that device.

** The police officer could require an individual to electronically forward the electronic copy of the certificate to a specified location provided by the police officer (e.g., by email). The officer could then view the electronic copy in a setting in which it was safe for the officer to verify the validity and accuracy of the information.

** The state, a law enforcement agency, or an employee of the state or law enforcement agency, would not be liable for damage to or loss of an electronic device as a result of a

police officer's viewing of the device, regardless of who was in possession of the device at the time of the damage.

BACKGROUND INFORMATION:

Public Act 135 of 2015—House Bill 4193—amended the Vehicle Code to allow the use of electronic proof of mandatory auto insurance.

ARGUMENTS:

For:

Individuals can carry out complex tasks like buying and selling goods, applying for loans and credit cards, and sending and receiving email all from their internet-connected cell phones; it only makes sense that statute allow individuals to use technology to show proof of vehicle insurance. Many individuals will find it easier to take a cell phone picture of their proof of registration than carry it in their vehicle at all times.

Testimony from the Michigan State Police indicates that, since passage of PA 135 of 2015, the MSP has received no negative feedback from officers about the use of electronic proof of insurance.

Against:

As written, the bill does not indicate whether the driver or requesting police officer make the decision as to which form of registration—electronic or paper—will be provided. An amendment to clarify this language and specify that the driver has the ability to make the choice was proposed in committee. The amendment failed.

POSITIONS:

A representative of the Michigan State Police testified in support of the bill. (2-16-17)

Representatives of the following organizations indicated support of the bill:

- Concerned Association of Patients and Providers (2-16-17)
- Coalition Protecting Auto No-Fault (3-2-17)
- Michigan Secretary of State (3-2-17)
- Michigan Insurance Coalition (3-2-17)

Legislative Analyst: Patrick Morris
Fiscal Analyst: Michael Cnossen
Kent Dell

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.