

**SUBSTITUTE FOR
HOUSE BILL NO. 5735**

A bill to amend 2008 PA 23, entitled
"Enhanced driver license and enhanced official state personal
identification card act,"
by amending sections 4 and 6 (MCL 28.304 and 28.306), as amended by
2020 PA 243.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The secretary of state may issue an enhanced
2 driver license or enhanced official state personal identification
3 card to an applicant who provides satisfactory proof of his or her
4 full legal name, United States citizenship, identity, date of
5 birth, Social Security number, residence address, and a
6 photographic identity document. An applicant may choose to apply
7 for a standard driver license or standard official state personal



1 identification card or an enhanced driver license or enhanced
2 official state personal identification card.

3 (2) An enhanced driver license or enhanced official state
4 personal identification card must include reasonable security
5 measures to protect against unauthorized disclosure of personal
6 information regarding residents of this state that is contained in
7 the enhanced driver license or enhanced official state personal
8 identification card.

9 (3) An enhanced driver license or enhanced official state
10 personal identification card may include radio frequency
11 identification technology that is limited to a randomly assigned
12 number that must be encrypted if agreed to by the United States
13 Department of Homeland Security, and does not include biometric
14 data. The secretary of state shall ensure that the radio frequency
15 identification technology is secure from unauthorized data access
16 and includes reasonable security measures to protect against
17 unauthorized disclosure of personal information. An applicant must
18 sign a declaration acknowledging his or her understanding of the
19 radio frequency identification technology before he or she is
20 issued an enhanced driver license or enhanced official state
21 personal identification card.

22 (4) An enhanced driver license or enhanced official state
23 personal identification card that expires on or after March 1, 2020
24 is considered valid until ~~December 11, 2020~~. **March 31, 2021.**

25 (5) The requirements of this act are in addition to the
26 requirements otherwise imposed on individuals who apply for a
27 standard driver license or standard official state personal
28 identification card.

29 (6) The holder of an enhanced driver license issued under this



1 act is subject to every licensing sanction provided under the
2 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. As used
3 in this subsection, "licensing sanction" means the restriction,
4 suspension, revocation, or denial of a driver license; the addition
5 of points to a driving record; until October 1, 2018, the
6 assessment of a driver responsibility fee; the assessment of a
7 civil fine or criminal penalty resulting from a conviction; a civil
8 infraction determination; the imposition of probationary terms and
9 conditions; or any other penalty provided under the Michigan
10 vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

11 Sec. 6. (1) An application for an original enhanced driver
12 license or enhanced official state personal identification card
13 must be accompanied by payment of a fee of not more than \$50.00.

14 (2) The renewal fee for an enhanced driver license or enhanced
15 official state personal identification card renewed under this act
16 must be not more than \$50.00. However, if an enhanced driver
17 license or enhanced official state personal identification card is
18 expired at the time of renewal, the fee must be the same as the fee
19 provided under subsection (1). If the secretary of state receives
20 an application to renew an enhanced driver license or enhanced
21 official state personal identification card that expires on or
22 after March 1, 2020 before ~~December 11, 2020~~, **March 31, 2021**, the
23 secretary of state shall process the application as a renewal of an
24 existing enhanced driver license or enhanced official state
25 personal identification card.

26 (3) Money from fees collected under subsections (1) and (2)
27 must be deposited into the enhanced driver license and enhanced
28 official state personal identification card fund created in section
29 7 after distribution as follows:



1 (a) The secretary of state shall refund to each county or
2 municipality acting as an examining officer or examining bureau
3 \$2.50 for each applicant examined for an original enhanced driver
4 license, if the application is not denied and the money refunded is
5 paid to the county or local treasurer and is appropriated to the
6 county, municipality, or officer or bureau receiving the money for
7 the purpose of carrying out this act.

8 (b) The state treasurer shall deposit the sum of \$4.00 to the
9 traffic law enforcement and safety fund created in section 819a of
10 the Michigan vehicle code, 1949 PA 300, MCL 257.819a, for each
11 person examined for an original or renewal enhanced driver license.

12 (c) Four dollars and 50 cents of an original enhanced driver
13 license and \$6.00 of a renewal enhanced driver license must be
14 appropriated to the transportation economic development fund
15 established in section 2 of 1987 PA 231, MCL 247.902, and must not
16 be appropriated for any other purpose in any act making
17 appropriations of state funds.

18 (d) The money remaining after distributions are made under
19 subdivisions (a) through (c) must remain in the enhanced driver
20 license and enhanced official state personal identification card
21 fund created under section 7.

22 (4) The secretary of state may assess a fee for issuing a
23 duplicate or corrected enhanced driver license or enhanced official
24 state personal identification card. A fee assessed under this
25 subsection must not exceed the following amounts:

26 (a) Thirty dollars for an enhanced driver license that is an
27 operator's license.

28 (b) Forty dollars for an enhanced driver license that is a
29 chauffeur's license.



1 (c) Thirty dollars for an enhanced official state personal
2 identification card.

3 (5) A fee must not be charged under subsection (4) for a
4 change of address, to correct a departmental error, or to add or
5 remove a heart insignia described in section 310 of the Michigan
6 vehicle code, 1949 PA 300, MCL 257.310.

7 (6) Fees collected under subsection (4) must be deposited to
8 the enhanced driver license and enhanced official state personal
9 identification card fund created under section 7.

10 (7) A fee paid under this section is nonrefundable, except for
11 administrative error.

12 (8) The secretary of state shall not assess a late renewal fee
13 for an enhanced driver license or enhanced official state personal
14 identification card that expires on or after March 1, 2020 and is
15 renewed before ~~December 11, 2020.~~ **March 31, 2021.**

16 Enacting section 1. This amendatory act does not take effect
17 unless all of the following bills of the 100th Legislature are
18 enacted into law:

19 (a) House Bill No. 5729.

20 (b) House Bill No. 5731.

