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SFA**BILL ANALYSIS**

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Senate Bill 1026 (as introduced 3-19-98)
Sponsor: Senator Mike Rogers
Committee: Government Operations

Date Completed: 4-27-98

CONTENT

The bill would amend the Michigan Vehicle Code to revise the procedure for changing an address on a driver's license; provide for electronic notice of a change of address or notice by mail or telephone, as prescribed by the Secretary of State; and establish penalties for changing the address of another person without his or her permission.

Change of Address

Currently, if a person moves before his or her driver's license expires, the person immediately must return the license to the local examining board or the Department of State, which is required to write the new address on the back of the license. The bill provides, instead, that the person immediately have to notify the Secretary of State of his or her new residence address. The notice would have to be in a manner prescribed by the Secretary of State and could include notification by personal appearance at a branch office or other location designated by the Secretary of State, or a notification electronically or by mail, telephone, or any other means prescribed by the Secretary of State.

Upon receiving a change of address notification, the Secretary of State would have to change the person's driver license record to indicate the new address and provide the person with a new license or a label or some other mechanism containing the new address on the person's existing license. Upon receiving a label or other mechanism, the person immediately would have to affix it to his or her operator's or chauffeur's license as prescribed by the Secretary of State. If the Secretary of State furnished a new license, the person would have to destroy his or her old license and replace it with the new one.

Penalties

The bill would prohibit a person from reporting a change of address to the Secretary of State for another person without his or her consent. A violation would be a misdemeanor punishable by imprisonment for up to 90 days and/or a maximum fine of \$100. As part of the sentence, the court would have to order the Secretary of State to suspend the person's driver's license for six months. The court could not order the Secretary of State to issue a restricted license to the person during the suspension.

Upon a second or subsequent conviction, the violator would be guilty of a felony punishable by imprisonment for up to one year and/or a maximum fine of \$1,000. As part of the sentence, the court would have to order the Secretary of State to revoke the person's license.

A license suspension or revocation under these provisions would not be appealable under Section 323 of the Code. (Section 323 allows a person to petition the circuit court for review of a determination of the Secretary of State to deny, revoke, suspend, or restrict a license.)

MCL 257.315 et al.

Legislative Analyst: S. Lowe

FISCAL IMPACT

Currently, there are no data to indicate how many people would fall under the provisions in this bill. As part of a sentence for improperly reporting a change of address for another person without his or her consent, the Secretary of State would have to suspend the person's license for six months. In fiscal year 1996-97, approximately 370,000 licenses were suspended or revoked, according to the Department of State. An applicant for reinstatement must pay a \$125 reinstatement fee to regain his or her license. An applicant under the bill also would need to pay this fee.

The new crime proposed by the bill could result in increased jail commitments for those individuals convicted of reporting a change of address for another person without his or her knowledge, or for second or subsequent violations of this section. There are no data currently available that might indicate the potential number of annual violators. Jail incarceration costs vary by county.

Fiscal Analyst: E. Limbs
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.