
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4701 (Substitute H-2 as discharged)
Sponsor: Representative Liz Brater
House Committee: Transportation
Senate Committee: Transportation and Tourism

CONTENT

The bill would amend the Michigan Vehicle Code's provisions for driver licensure and vehicle registration to regulate the release of this information by doing the following:

- Permitting the Secretary of State to provide a commercial look-up service of records maintained under the Code, and to charge a fee for each record looked up.
- Prohibiting the disclosure of information in a record maintained under the Code, to a nongovernmental person or entity unless the purchaser paid a prescribed fee, furnished proof of identity, and certified that the information would be used for permitted purposes.
- Requiring the Secretary of State to disclose a record's personal information to carry out the purposes of Federal law and regulations. ("Personal information" would mean information that identified an individual, including his or her photograph or image, name, address (but not zip code), driver license number, Social Security number, telephone number, digitized signature, and medical and disability information; not including information on driving and equipment-related violations or civil infractions, driver or vehicle registration status, vehicular accidents, or other behaviorally related information.)
- Permitting the Secretary of State to disclose, under certain circumstances, personal information to various Federal, State, or local governmental agencies and specific private persons or entities.
- Permitting an authorized recipient of personal information to resell or redisclose it for a permitted use; and requiring the recipient to keep for at least five years records that identified who received the information and the use for which it was obtained.
- Permitting the Secretary of State to furnish a list of information from the records maintained under the Act to a Federal, State, or local governmental agency, and to charge a preparation fee if costs exceeded \$25.
- Permitting the Secretary of State to contract for the bulk sale of driver and motor vehicle lists for permitted purposes as well as for surveys, marketing, and solicitations.
- Requiring the Secretary of State, before selling or furnishing lists for surveys, marketing, and solicitations, to inform persons of their right to prohibit the disclosure of personal information.
- Establishing felony penalties for making a false representation or certification to obtain personal information or using the information for nonpermitted purposes.

MCL 257.208 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

In FY 1995-96, the Department of State generated \$27.1 million from the service charge collected for record information. Of that amount, approximately \$1 million comes from bulk data sold to direct mail marketers and data processing firms. Due to Federal legislation and a recent court ruling, this bill is necessary for the Department to continue to charge fees for commercial look-ups.

Date Completed: 7-2-97

Fiscal Analyst: B. Bowerman

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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.