

**SUBSTITUTE FOR
HOUSE BILL NO. 4037**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 310 (MCL 257.310), as amended by 1998 PA
226.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 310. (1) The secretary of state shall issue an
2 operator's license to each person licensed as an operator and a
3 chauffeur's license to each person licensed as a chauffeur. An
4 applicant for a motorcycle indorsement under section 312a or a
5 vehicle group designation or indorsement shall first qualify for
6 an operator's or chauffeur's license before the indorsement or
7 vehicle group designation application is accepted and processed.
8 (2) The license issued under subsection (1) shall contain
9 all of the following information:

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1 (a) The distinguishing number permanently assigned to the
2 licensee.

3 (b) The full name, date of birth, address of residence,
4 height, eye color, sex, an image, and the signature of the
5 licensee.

6 (c) An indication that the license contains 1 or more of the
7 following:

8 (i) The blood type of the licensee.

9 (ii) Immunization data of the licensee.

10 (iii) Medication data of the licensee.

11 (iv) A statement that the licensee is deaf.

12 (v) A statement that the licensee is an organ and tissue
13 donor pursuant to part 101 of the public health code, 1978 PA
14 368, MCL 333.10101 to 333.10109.

15 (vi) Emergency contact information of the licensee.

16 (d) If the licensee has made a statement described in
17 subdivision (c)(v), the signature of the licensee following the
18 indication of his or her organ and tissue donor intent identified
19 in subdivision (c)(v), along with the signature of at least 1
20 witness.

21 (3) Except as otherwise required in this chapter, other
22 information required on the license pursuant to this chapter may
23 appear on the license in a form prescribed by the secretary of
24 state.

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

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1 (5) A digitized license may contain an identifier for voter
2 registration purposes. The digitized license may contain
3 information appearing in electronic or machine readable codes
4 needed to conduct a transaction with the secretary of state. The
5 information shall be limited to the person's driver license
6 number, birth date, license expiration date, and other informa-
7 tion necessary for use with electronic devices, machine readers,
8 or automatic teller machines and shall not contain the person's
9 name, address, driving record, or other personal identifier. The
10 license shall identify the encoded information.

11 (6) The license shall be manufactured in a manner to pro-
12 hibit as nearly as possible the ability to reproduce, alter,
13 counterfeit, forge, or duplicate the license without ready
14 detection. In addition, a license with a vehicle group designa-
15 tion shall contain the information required pursuant to
16 49 C.F.R. part 383.

17 (7) A person who intentionally reproduces, alters, counter-
18 feits, forges, or duplicates a license photograph, the negative
19 of the photograph, an image, a license, OR the electronic data
20 contained on a license or a part of a license ~~—,~~ or who uses a
21 license, an image, or photograph that has been reproduced,
22 altered, counterfeited, forged, or duplicated is subject to 1 of
23 the following:

24 (a) If the intent of the reproduction, alteration, counter-
25 feiting, forging, duplication, or use was to commit or aid in the
26 commission of an offense THAT IS A FELONY punishable by
27 imprisonment for ~~—1—~~ 10 or more years, the person committing the

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1 reproduction, alteration, counterfeiting, forging, duplication,
2 or use is guilty of a ~~misdemeanor,~~ FELONY punishable by impris-
3 onment for ~~a period equal to the imprisonment that could be~~
4 ~~imposed for the commission of the offense the person had the~~
5 ~~intent to aid or commit. The court may also assess~~ NOT MORE
6 THAN 10 YEARS OR a fine of not more than ~~-\$10,000.00~~ against the
7 ~~person~~ \$20,000.00, OR BOTH.

8 (b) If the intent of the reproduction, alteration, counter-
9 feiting, forging, duplication, or use was to commit or aid in the
10 commission of an offense THAT IS A FELONY punishable by imprison-
11 ment for ~~not more~~ LESS than ~~1 year~~ 10 YEARS OR A MISDEMEANOR
12 PUNISHABLE BY IMPRISONMENT FOR [6 MONTHS OR MORE], the person com-
13 mitting the reproduction, alteration, counterfeiting, forging,
14 duplication, or use is guilty of a ~~misdemeanor,~~ FELONY punish-
15 able by imprisonment for not more than ~~1 year,~~ 5 YEARS or a
16 fine of not more than ~~-\$1,000.00~~ \$10,000.00, or both.

17 (C) IF THE INTENT OF THE REPRODUCTION, ALTERATION, COUNTER-
18 FEITING, FORGING, DUPLICATION, OR USE WAS TO COMMIT OR AID IN THE
19 COMMISSION OF AN OFFENSE THAT IS A MISDEMEANOR PUNISHABLE BY
20 IMPRISONMENT FOR LESS THAN [6 MONTHS], THE PERSON COMMITTING THE
21 REPRODUCTION, ALTERATION, COUNTERFEITING, FORGING, DUPLICATION,
22 OR USE IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR
23 NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN \$2,000.00, OR
24 BOTH.

25 (8) A PERSON WHO SELLS, OR WHO POSSESSES WITH THE INTENT TO
26 DELIVER TO ANOTHER, A REPRODUCED, ALTERED, COUNTERFEITED, FORGED,
27 OR DUPLICATED LICENSE PHOTOGRAPH, NEGATIVE OF THE PHOTOGRAPH,

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1 IMAGE, LICENSE, OR ELECTRONIC DATA CONTAINED ON A LICENSE OR PART
2 OF A LICENSE IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR
3 NOT MORE THAN 5 YEARS OR A FINE OF NOT MORE THAN \$10,000.00, OR
4 BOTH.

[(9) A PERSON WHO IS IN POSSESSION OF 2 OR MORE REPRODUCED,
ALTERED, COUNTERFEITED, FORGED, OR DUPLICATED LICENSE PHOTOGRAPHS,
NEGATIVES OF THE PHOTOGRAPH, IMAGES, LICENSES, OR ELECTRONIC DATA
CONTAINED ON A LICENSE OR PART OF A LICENSE IS GUILTY OF A FELONY
PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A FINE OF
NOT MORE THAN \$10,000.00, OR BOTH.]

5 [(10)] A PERSON WHO IS IN POSSESSION OF A REPRODUCED, ALTERED,
6 COUNTERFEITED, FORGED, OR DUPLICATED LICENSE PHOTOGRAPH, NEGATIVE
7 OF THE PHOTOGRAPH, IMAGE, LICENSE, OR ELECTRONIC DATA CONTAINED
8 ON A LICENSE OR PART OF A LICENSE IS GUILTY OF A MISDEMEANOR PUN-
9 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT
10 MORE THAN \$2,000.00, OR BOTH.

11 [(11)] ~~(8)~~ The secretary of state, upon determining after an
12 examination that an applicant is mentally and physically quali-
13 fied to receive a license, may issue to that person a temporary
14 driver's permit entitling the person while having the permit in
15 his or her immediate possession to drive a motor vehicle upon the
16 highway for a period not exceeding 60 days before issuance to the
17 person of an operator's or chauffeur's license by the secretary
18 of state.

19 [(12)] ~~(9)~~ An operator or chauffeur may indicate on the
20 license in a place designated by the secretary of state his or
21 her blood type, emergency contact information, immunization data,
22 medication data, ~~or~~ a statement that the licensee is deaf, or a
23 statement that the licensee is an organ and tissue donor and has
24 made an anatomical gift pursuant to part 101 of the public health
25 code, 1978 PA 368, MCL 333.10101 to 333.10109.

26 [(13)] ~~(10)~~ If the applicant provides proof to the secretary
27 of state that he or she is a minor who has been emancipated

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1 pursuant to 1968 PA 293, MCL 722.1 to 722.6, the license shall
2 bear the designation of the individual's emancipated status in a
3 manner prescribed by the secretary of state.

4 Enacting section 1. This amendatory act takes effect April
5 1, 2002.