



Senate Fiscal Agency
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House Bill 5802 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Representative Gene DeRossett

House Committee: Transportation

Senate Committee: Transportation

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- Expand the information that the Secretary of State (SOS) must maintain on an individual's driving record.
- Specify conditions under which the SOS could use or disclose a driver's medical and disability information.
- Require the SOS to request the driving record of an applicant for a vehicle group designation or indorsement from all states where he or she was licensed in the past 10 years.
- Allow the SOS to deny a nonresident's right to operate a motor vehicle in Michigan.
- Require records of convictions of certain violations to be maintained for the life of the violator, or until he or she moved to another jurisdiction (rather than for 10 years).
- Require a person who administered a driving skills test for the SOS to complete both a State and an FBI fingerprint-based criminal history check.
- Expand the offenses for which a commercial driver license (CDL) must be suspended or revoked; and extend the revocation period for certain offenses from 10 years to the person's life, with eligibility for reinstatement after 10 years.
- Require a school bus driver to obtain an S (school bus) indorsement, in addition to a P (passenger) indorsement.
- Provide that a conviction, bond forfeiture, or civil infraction determination for certain violations committed in a noncommercial motor vehicle would count against a CDL holder as if he or she were operating a commercial motor vehicle at the time of the violation.
- Require the SOS to suspend the operator's license of a CDL holder for failing to answer an out-of-state citation, or a notice to appear in court or an authorized tribunal.

MCL 257.8a et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would bring the State into compliance with the Federal Motor Carrier Safety Improvement Act of 1999 to avoid loss of Federal funds. Federal sanctions include the withholding of Motor Carrier Safety Assistance Program funds (of which the State receives \$6.7 million) and the withholding of 5% of certain Federal highway apportionments. Second and subsequent years of noncompliance would result in 10% penalties. Based on FY 2003-04 Federal apportionments, the 5% penalty would equal \$14.3 million, and the 10% penalty for subsequent years of noncompliance would be \$28.6 million.

The Department of State would incur programming costs to implement provisions of the bill. The Department estimates one-time costs of \$900,000 and ongoing costs of \$200,000.

Date Completed: 9-14-04

Fiscal Analyst: Bill Bowerman

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Analysis available @ <http://www.michiganlegislature.org>

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.