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BILL ANALYSIS

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House Bill 5802 (Substitute H-1 as passed by the House)
Sponsor: Representative Gene DeRossett
House Committee: Transportation
Senate Committee: Transportation

Date Completed: 6-1-04

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; and require the SOS to maintain only specified information for a nonresident.
- Require the SOS to request the complete driving record of an applicant for a vehicle group designation or indorsement who was previously licensed in another jurisdiction from all states in which he or she was licensed in the previous 10 years.
- Allow the SOS to deny a nonresident's right to operate a motor vehicle in Michigan; and require the SOS to notify the motor vehicle administration or other appropriate officer of a state in which a nonresident was licensed to operate a commercial motor vehicle of a conviction, civil infraction determination, or bail forfeiture.
- Require the SOS to provide information contained in an individual's driving record to specified people and entities upon request.
- 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 the 10 years currently required.
- Require a person who administered a driving skills test for the SOS to complete both a State and a Federal Bureau of Investigation (FBI) fingerprint-based criminal history check.
- Revise the conditions under which the SOS may not issue a vehicle group designation or indorsement to an applicant.
- Expand the offenses for which a commercial driver's license 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.
- Expand the definition of "conviction" and revise the definition of "serious traffic violation".
- Provide that a conviction, bond forfeiture, or civil infraction determination for certain violations committed in a noncommercial vehicle would count against a commercial driver license holder the same 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 commercial driver's license (CDL) holder if he or she failed to answer an out-state citation, or a notice to appear in a court or an authorized administrative tribunal.
- Repeal Section 314b of the Code, which allows the SOS to issue a two-year license to certain drivers.

Definition of "Conviction"

The Code defines "conviction" as a final conviction, the payment of a fine, a plea of guilty or no contest if accepted by the court, or a finding of guilt for a criminal law violation or a juvenile adjudication, probate court disposition, or juvenile disposition for a violation that would be a crime if committed by an adult, regardless of whether the penalty is rebated or suspended.

Under the bill, the term also could mean a conviction defined in Federal law under 49 CFR 383.5, regarding the operation of a commercial motor vehicle or the operation of a noncommercial motor vehicle operated by a person licensed to operate a commercial motor vehicle. (That section of the Code of Federal Regulations defines the term as an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or no contest accepted by the court, the payment of a fine or court costs, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended, or probated.)

Computerized Central File

The Code requires the Secretary of State to create and maintain a computerized central file that provides an individual historical driving record for a person, including a nonresident, including specified information. The bill would delete the reference to a nonresident, and revise the information that must be included.

Currently, the file must include a conviction or civil infraction determination entered against the person for a violation of the Code or a substantially corresponding local ordinance. The bill would add any other licensing action, and include a conviction, civil infraction determination, or other licensing action that was reported to the SOS by another jurisdiction.

The Code also requires the file to include a cancellation, denial, revocation, suspension, or restriction of the person's operating

privilege under the Code. The bill would add a failure to pay a Department of State driver responsibility fee or any other licensing action regarding that person, and include sanctions that were reported to the SOS by another jurisdiction. This provision also would apply to nonresidents.

In addition, the bill would require that the file include any driving record requested and received by the Secretary of State under Section 307, and any notice given by the SOS and the information provided in that notice under Section 317(3) or (4) (described below).

The bill also would require the Secretary of State, after receiving a request for information contained in the records, to provide the information to any of the following:

- Another state.
- The United States Secretary of Transportation.
- The person who was the subject of the record.
- A motor carrier employer or prospective motor carrier employer, but only if the person who was the subject of the record were first notified of the request.
- An authorized agent of any person or entity listed above.

Nonresident Applicants & Licensees

Under Section 307, if the Secretary of State receives an application for an operator's or chauffeur's license from a person who was previously licensed in another jurisdiction, the SOS must request a copy of his or her driving record and other available information from the national driver register. When received, the driving record and other available information become a part of the driver's record in Michigan.

If the application is for an original, renewal, or upgrade of a vehicle group designation or indorsement, the SOS also must check the applicant's driving record with the national driver register and the Federal commercial driver license information system before issuing the group designation or indorsement. The bill would require the Secretary of State also to request the person's complete driving record from all states where he or she was previously

licensed to drive any type of motor vehicle over the last 10 years, before issuing the vehicle group designation or indorsement. If the applicant did not hold a valid CDL from a state where he or she was licensed in the last 10 years, the record request would have to be made within 24 hours before the SOS issued the group designation or indorsement. For all other drivers, the request would have to be made within 10 days before the SOS issued the group designation or indorsement. If the application were for the renewal of a vehicle group designation or indorsement, and if the Secretary of State entered on the person's historical driving record a notation that the request was made and the date of the request, the SOS could request the complete driving record from other states only once.

Under Section 317, the Secretary of State may suspend or revoke the right of a nonresident to operate a motor vehicle in Michigan for a cause for which the license of a resident driver may be suspended or revoked. Under the bill, the Secretary of State also could deny a nonresident's right to operate.

A nonresident who drives when the privilege to drive has been suspended, revoked, or denied is guilty of a misdemeanor punishable by imprisonment for up to 93 days and/or a maximum fine of \$500, for a first offense; and by imprisonment for up to one year and/or a maximum fine of \$1,000 for a subsequent offense. Upon receiving a record of the conviction, civil infraction determination, suspension, revocation, or forfeiture of bail in Michigan of a nonresident, the Secretary of State may forward a certified copy of the record to the motor vehicle administrator or other appropriate officer in the State in which the person is a resident. The bill would require the SOS to forward the certified copy to the motor vehicle administrator or appropriate officer in the state in which the person resided.

The bill also would add subsection (3) to Section 317 to require the Secretary of State to notify the motor vehicle administration or other appropriate officer of a state in which a nonresident was licensed of a conviction, civil infraction determination, or bail forfeiture within 30 days after an appeal period had expired if an

appeal were not made in a conviction, determination, or forfeiture against a nonresident for a violation committed while operating a commercial motor vehicle or any violation for a CDL holder regardless of vehicle type, except a parking violation, beginning October 1, 2005. The SOS also would have to give notice within 10 days after an appeal was completed or the appeal period had expired if an appeal were not made, beginning October 1, 2008.

The bill also would add subsection (4) to Section 317. Under that subsection, if the Secretary of State suspended, revoked, canceled, or denied the driving privileges of a nonresident for at least 60 days and the nonresident were licensed by another state to operate a commercial motor vehicle, the SOS would have to forward a notification to the motor vehicle administrator or other appropriate officer in that state within 10 days after the effective date of the suspension, revocation, cancellation, or denial. A notice would have to include both the denial, if any, and the violation that caused the suspension, revocation, cancellation, or denial of the nonresident's driving privileges.

Maintenance of Records

Under the Code, records of convictions may be destroyed after being maintained on file for 10 years for any of the following offenses for which points are provided:

- Committing a moving violation that has criminal penalties and causing injury to or the death of a person operating an implement of husbandry on a highway.
- Causing injury to or the death of a police officer, firefighter, or other emergency response personnel by failing to move to an adjacent lane or slow down upon approaching a stationary authorized emergency vehicle.
- Operating while intoxicated (i.e., being under the influence of intoxicating liquor or a controlled substance; or having a blood alcohol content (BAC) of at least 0.08 gram per 100 milliliters of blood, 210 liters of breath, or 67 milliliters of urine).
- Operating with any bodily amount of a Schedule 1 controlled substance (which includes opiates, opium derivatives, and hallucinogenic substances) or cocaine.

- Causing the serious impairment of a body function or the death of another person by operating while under the influence of intoxicating liquor or a controlled substance; operating while visibly impaired due to the consumption of alcoholic liquor or a controlled substance; or operating with any bodily amount of a Schedule 1 controlled substance or cocaine.
- Committing any of the listed violations involving alcohol and controlled substances while another person under the age of 16 occupies the vehicle.
- Operating an off-road vehicle (ORV) under the influence of alcohol or a controlled substance; or with a BAC of at least 0.10 gram per 100 milliliters of blood, 210 liters of breath, or 67 milliliters of urine.
- Causing the serious impairment of a body function or death of another person by operating an ORV under the influence or with a BAC of at least 0.10 gram.
- Knowingly permitting a person under the influence of intoxicating liquor to operate an ORV.
- Operating a snowmobile under the influence of intoxicating liquor or a controlled substance, or with a BAC of at least 0.10 gram.
- Exceeding the posted speed limit in a work zone by more than 15 miles per hour.
- Refusing to submit to a chemical test upon request by a peace officer.

The bill would retain this provision, but provides that the record of a conviction would have to be maintained for the life of the person or until he or she moved to another jurisdiction, if a CDL holder, or a noncommercial license holder who operated a commercial motor vehicle, were convicted, under a law of this State or a substantially corresponding local ordinance, of any of the following violations:

- Operating a vehicle while intoxicated, visibly impaired, or with any bodily amount of a Schedule 1 controlled substance or cocaine, or causing the death or serious impairment of a body function of another person while doing so; committing any of these violations while a person younger than 16 occupied the vehicle; or allowing a person to

- operate a vehicle while intoxicated or visibly impaired.
- Operating a commercial motor vehicle with a BAC of between 0.04 gram and 0.08 gram per 100 milliliters of blood, 210 liters of breath, or 67 milliliters of urine.
- Leaving the scene of an accident.
- Using a vehicle to commit a felony.
- Refusing to take an alcohol or controlled substance test required under the Code.
- Operating a commercial motor vehicle when the person's operator's or chauffeur's license or vehicle group designation was suspended, revoked, or canceled as a result of prior violations committed while operating a commercial motor vehicle.
- Operating a commercial motor vehicle when the person was disqualified from operating a commercial motor vehicle.
- Causing any fatality through the negligent operation of a commercial motor vehicle.

Driving Skills Test

The Code prohibits the Secretary of State from issuing an original operator's or chauffeur's license without a vehicle group designation or indorsement, level 2 graduated licensing status, or a motorcycle endorsement if an individual has not passed an examination that includes a driving skills test conducted by the SOS or by a designated examining officer. The SOS may enter into an agreement with another public or private corporation or agency to conduct the test.

The bill would require a person or examiner to complete both a State and FBI fingerprint-based criminal history check through the Michigan Department of State Police (MSP) before the Secretary of State could authorize the person to administer a corporation's or agency's driver skills testing operations or authorize an examiner to conduct a driving skills test.

The bill also would require the SOS to prescribe the method and examination criteria the corporation, agency, or examiner would have to follow when conducting the driving skills test and the form of the certification to be issued to a person who satisfactorily completed the test; currently, the Code is permissive.

Currently, an applicant for an original vehicle group designation or passenger indorsement who has been issued a temporary instruction permit to operate a commercial motor vehicle may operate a vehicle requiring a vehicle group designation or passenger indorsement without a person licensed to operate a commercial motor vehicle occupying a seat beside him or her during a driving skills test. The bill would delete this provision.

Vehicle Group Designation

Before operating a commercial motor vehicle, a person must obtain the required vehicle group designation as follows:

- A group A vehicle designation, for a combination of vehicles with a gross combination weight rating of at least 26,001 pounds, including a towed vehicle with a gross vehicle weight rating over 10,000 pounds. A person with a group A designation also may operate a group B or C vehicle without taking another test.
- A group B designation, for a vehicle with a gross vehicle weight rating of at least 26,001 pounds. A person with a group B designation may operate a group C vehicle without taking another test.
- A group C vehicle designation and a hazardous material or passenger vehicle indorsement, for a vehicle with a gross vehicle weight under 26,001 pounds, or a vehicle with a gross vehicle weight rating under 26,001 pounds towing a trailer or other vehicle and carrying hazardous materials on which a placard is required under Federal regulations (49 CFR parts 100 to 199), or designed to transport at least 16 passengers, including the driver.

If a person operates a group B passenger vehicle while taking his or her driving skills test for a P indorsement, he or she is restricted to operating only group B or C passenger vehicles under that P indorsement. The bill specifies that a person operating a group B school bus while taking his or her driving skills test for an S indorsement would be restricted to operating only group B or C school buses under that S indorsement.

Similarly, if a person operates a group C passenger vehicle while taking the test for a P indorsement, he or she may operate only

group C passenger vehicles under that P indorsement. The bill specifies that a person who operated a group C school bus while taking his or her test for an S indorsement would be restricted to operating only group C school buses under the S indorsement.

Under the bill, effective October 1, 2004, a person who did not currently possess a P indorsement would have to procure the appropriate vehicle group designation, pass the knowledge tests for the P and S indorsements, and procure those indorsements under the Code before operating a school bus designed to transport at least 16 passengers. An applicant for an S vehicle indorsement would have to take a driving skills test in a school bus designed to transport at least 16 passengers, including the driver, that represented the same type of vehicle that the applicant intended to operate as a school bus.

Effective October 1, 2005, a person who currently possessed a P indorsement would have to procure the appropriate group vehicle designation, pass the knowledge test for an S indorsement, and procure an S vehicle indorsement under the Code before operating a school bus designed to transport at least 16 passengers. An applicant for an S vehicle indorsement would have to take a driving skills test in a school bus designed to transport at least 16 passengers that represented the same type of vehicle that he or she intended to operate as a school bus.

Until September 30, 2005, the Secretary of State could waive the driving skills test for an applicant for an S indorsement if the applicant certified, and the SOS verified, that during the two-year period immediately prior to applying for the school bus indorsement the applicant met all of the following conditions:

- The applicant held a valid driver license with a vehicle group designation and a P indorsement.
- The applicant had not had an operator's, chauffeur's, or commercial motor vehicle driver license suspended, revoked, denied, or canceled.
- The applicant had not been disqualified by the U.S. Secretary of Transportation from operating a commercial motor vehicle.
- The applicant had not been convicted of any disqualifying offense listed in Federal

regulations 49 CFR 385.51(b) while operating a noncommercial motor vehicle that would be a disqualifying offense under that section of the Code of Federal Regulations if the applicant had committed the offense while operating a commercial motor vehicle.

- The applicant had not had more than one conviction for a serious traffic violation as defined in 49 CFR 383.51 while operating any type of motor vehicle. The applicant had not had any conviction for a violation of any State or local motor vehicle traffic control law involving a vehicle accident, except for parking violations.
- The applicant had been regularly employed as a school bus driver for the past two years and, for those two years, had operated a school bus representing the type of school bus that the applicant intended to operate, and the applicant provided satisfactory evidence of that employment to the SOS.

(49 CFR 385.51(b) prescribes the disqualification period for operating a commercial motor vehicle while under the influence of alcohol or a controlled substance, or with a BAC of at least 0.04; refusing to take an alcohol test; leaving the scene of an accident; using a commercial motor vehicle to commit a felony; driving a commercial motor vehicle with a revoked, suspended, or canceled license; or causing a fatality through negligent operation of a commercial motor vehicle. Under 49 CFR 383.51, a serious traffic violation includes driving at least 15 miles per hour above the speed limit; driving recklessly; making improper or erratic lane changes; following the vehicle ahead too closely; violating a state or local law relating to motor vehicle traffic control arising in connection with a fatal accident; driving a commercial motor vehicle without obtaining a CDL; and driving a commercial motor vehicle without a CDL in the person's possession, or without the proper class of CDL and/or the proper endorsements.)

Vehicle Group Designation/Indorsement Denial

The Code prohibits the Secretary of State from issuing a vehicle group designation or indorsement to an applicant under certain circumstances. The SOS may not issue the designation or indorsement if the applicant

was convicted of or incurred a bond forfeiture in relation to a six-point violation as provided in Section 320a in the immediately preceding 24 months; or a violation of Section 625(3) or former Section 625b or a substantially corresponding local ordinance in the immediately preceding 24 months. Under the bill, the six-point violation of Section 320a would have had to occur while the applicant was operating a commercial motor vehicle; the violation of Section 625(3) or former Section 625b or a local ordinance, could have occurred in any type of motor vehicle. (Currently, the violation must occur in a commercial motor vehicle.)

(Under Section 320a, six points are assigned for manslaughter, negligent homicide, or a felony resulting from the operation of a motor vehicle, ORV, or snowmobile; for committing a moving violation for which three points are assigned and causing injury to or the death of a person working in a work zone; committing a moving violation with criminal penalties and causing injury to or the death of a person operating an implement of husbandry on a highway; and failing to slow down or move to an adjacent lane upon approaching a stationary authorized emergency vehicle and causing injury to or the death of a police officer, firefighter, or other emergency response personnel; and for various violations involving operating a motor vehicle, ORV, or snowmobile while under the influence alcohol or a controlled substance.)

Section 625(3) prohibits a person from operating a vehicle while visibly impaired due to the consumption of alcohol or a controlled substance.)

The bill also would prohibit the Secretary of State from issuing, renewing, or upgrading the designation or indorsement if the U.S. Secretary of Transportation had disqualified the applicant from operating a commercial motor vehicle.

License Extension

Under the Code, an operator's license expires on the person's birthday in the fourth year following the date of issuance of the license. A person may apply for an extension of his or her driving privileges if he or she is out of state on the expiration

date. Currently, the extension may extend the license for 90 days or within two weeks after the applicant returns to Michigan, whichever is first. The bill would increase the extension period to 180 days, or within two weeks after the applicant returned to Michigan.

The Code also allows a person who will be out of state for more than 90 days beyond the license expiration date to apply for a two-year extension. Under the bill, a person instead could apply for a four-year renewal of his or her driving privileges.

License Restrictions

The Code requires the Secretary of State to suspend the license of a person who violates Section 625 or 625m, but allows the SOS to issue a restricted license during the suspension, subject to certain conditions. (Section 625 deals with operating a motor vehicle while intoxicated or visibly impaired. Section 625m pertains to operating a commercial motor vehicle with a BAC of between 0.04 and 0.08.) The Code prohibits the SOS from issuing a restricted license that would permit the person to operate a commercial motor vehicle that transports hazardous material in amounts requiring a placard under the hazardous materials regulations, 49 CFR parts 100 to 199. The bill would delete the reference to the transport of hazardous materials and prohibit the Secretary of State from issuing to a person a restricted license that would permit him or her to operate any commercial motor vehicle.

Suspension & Revocation Period

Under the Code, a person's license must be suspended for 120 days if he or she is convicted of or found responsible for certain offenses arising from separate incidents within 36 months while operating a commercial motor vehicle. The bill would add to these offenses operating a commercial motor vehicle in violation of a suspension, revocation, denial, or cancellation that was imposed for previous violations committed while operating a commercial motor vehicle; and causing a fatality through the negligent or criminal operation of a commercial motor vehicle, including the crimes of motor vehicle

manslaughter, motor vehicle homicide, and negligent homicide.

The Code requires a person's license to be revoked for at least 10 years and until the person is approved for the issuance of a vehicle group designation if he or she is convicted of or found responsible for certain violations. The bill instead would require that the person's license be revoked for life, but with eligibility for reinstatement after at least 10 years and until he or she was approved by the Secretary of State for the issuance of a designation, and also add the following offenses to these provisions:

- Operating a commercial motor vehicle in violation of a suspension, revocation, denial, or cancellation that was imposed for previous violations committed while operating a commercial motor vehicle.
- Causing a fatality through the negligent or criminal operation of a commercial motor vehicle, including the crimes of motor vehicle manslaughter, motor vehicle homicide, and negligent homicide.

Definition of "Serious Traffic Violation"

The bill would revise the definition of the term, which currently includes a traffic violation that occurs in connection with an accident in which a person died, careless driving, excessive speeding as defined in Federal regulations, improper lane use, and following too closely, or any other serious traffic violation as defined in 49 CFR 383.5 or as prescribed in the Code. The bill would add to the definition the following:

- Driving a commercial motor vehicle without obtaining any vehicle group designation.
- Driving a commercial motor vehicle without possessing an operator's or chauffeur's license.
- Driving a commercial motor vehicle while in possession of an operator's or chauffeur's license that had a vehicle group designation but did not have the appropriate designation or indorsement required for the specific vehicle group being operated or the passengers or type of cargo being transported.

Violation Committed in a Noncommercial Motor Vehicle

Effective October 1, 2005, a conviction, bond forfeiture, or civil infraction determination, or notice that a court or administrative tribunal had found a person responsible while he or she was operating a noncommercial motor vehicle, would count against a commercial driver license holder the same as if he or she had been operating a commercial motor vehicle at the time of the following violations of State law, a substantially corresponding local ordinance, or a substantially corresponding law of another state or out-of-state jurisdiction :

- Operating a vehicle while intoxicated or visibly impaired.
- Suspension for a refusal to submit to a chemical test of his or her blood, breath, or urine for the purpose of determining the amount of alcohol or the presence of a controlled substance or both in his or her body as required by a law or local ordinance of Michigan or another state.
- Leaving the scene of an accident.
- Using a vehicle to commit a felony.

The bill specifies that, for the purposes of this provision, a noncommercial motor vehicle would not include a recreational vehicle used off-road.

Failure to Appear

The bill would require the Secretary of State immediately to suspend the operator's and chauffeur's license of a person licensed to operate a commercial motor vehicle, or a person who operated a commercial motor vehicle without a proper license, if he or she failed to answer an out-state citation, or a notice to appear in a court or an authorized administrative tribunal for a violation reportable to the SOS, or failed to comply with an order or judgment under any of those circumstances, including paying all fines, costs, fees, and assessments. The SOS immediately would have to notify the person of the suspension by regular mail at the person's last known address. The suspension would remain in effect until the SOS was notified by the court or authorized administrative tribunal of the other state that the person had answered that citation or notice to appear or had paid the fine or

cost. Upon being informed of the failure of a person to appear or comply, the SOS could not issue a license to or renew a license for the person until the court or authorized administrative tribunal of the other state informed the Secretary of State that the person had resolved all outstanding matters regarding the notices, orders, or citations.

The Secretary of State could not suspend the person's license if he or she failed to appear in response to a citation issued for, or failed to comply with an order or judgment involving, the parking or standing of a vehicle.

Reporting to the Secretary of State

The Code requires each municipal judge and each clerk of a court of record to keep a full record of every case in which a person is charged with or cited for a violation of the Code or a substantially corresponding local ordinance regulating the operation of vehicles, and offenses for which points are assessed pertaining to the operation of ORVs or snowmobiles. The bill would require the municipal judge or court clerk to prepare and forward to the SOS an abstract for the court record within five days after a conviction, forfeiture of bond, or civil infraction determination. Currently, the judge or clerk has 14 days to do so.

The bill also would prohibit a court from taking under advisement an offense committed by a person while operating a commercial motor vehicle, or by a CDL holder while operating a noncommercial motor vehicle, for which the Code requires a conviction or civil infraction determination to be reported to the Secretary of State. A conviction or civil infraction determination could not be masked, delayed, diverted, suspended, or suppressed by a court. A conviction or civil infraction determination immediately would have to be reported to the SOS in accordance with the Code.

Section 314b

The bill would repeal Section 314b of the Code. That section allows the Secretary of State to issue a two-year license when a licensed driver is charged in the 24 months before the expiration date of his or her license with a total of 12 or more points as provided in Section 320a; has his or her

license suspended or revoked for a reason other than failing to answer a citation or notice to appear in court, failure of a judgment debtor to pay an installment ordered by a court, or delinquent payment of a vehicle fee or tax, in the 36 months immediately preceding the expiration date; or was convicted of any six-point violation, operating while visibly impaired, or a violation of former Section 625b in the 36 months before the expiration date.

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.

Fiscal Analyst: Bill 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.