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BILL ANALYSIS



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House Bill 5200 (as passed by the House)
Sponsor: Representative Philip LaJoy
House Committee: Transportation
Senate Committee: Transportation

Date Completed: 11-29-05

CONTENT

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

- Include violations of other states' drunk-driving laws in provisions prohibiting the Secretary of State (SOS) from issuing or transferring a vehicle registration, and prohibiting a person whose license has been suspended, revoked, or denied from purchasing a motor vehicle.**
- Require a vehicle owner to indorse an assignment of the title as required by the SOS, rather than on the back of the certificate.**
- Eliminate a limit on the number of characters that may be included in a personalized fund-raising license plate.**

The bill is described below in further detail.

Out-of-State Violations

The Code requires the Secretary of State to refuse to issue a registration or a transfer of a registration if, at the time of the application, the operator's or chauffeur's license of the owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied, or the operator has never been licensed by the State, for a third or subsequent violation of Section 625 or 625m or a substantially corresponding local ordinance, or a fourth or subsequent suspension or revocation under Section 904. Under the bill, this provision also would apply to a third or subsequent violation of a law of another state substantially corresponding to Section 625 or 625m.

(Section 625 prohibits a person from operating a vehicle while intoxicated (i.e., under the influence of alcoholic liquor and/or a controlled substance, or having an alcohol content of at least 0.08 gram per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine) or while his or her ability to operate the vehicle is visibly impaired due to the consumption of alcoholic liquor and/or a controlled substance. Section 625 also prohibits a person younger than 21 from operating a vehicle with any bodily alcohol content; i.e., at least 0.02 gram but less than 0.08 gram per 100 milliliters of blood, 210 liters of breath, or 67 milliliters of urine, or any presence of alcohol resulting from the consumption of alcoholic liquor.

Section 625m prohibits a person from operating a commercial motor vehicle with an alcohol content of at least 0.04 gram but less than 0.08 gram per 100 milliliters of blood, 210 liters of breath, or 67 milliliters of urine.

Section 904 prohibits a person from operating a motor vehicle if his or her license or registration certificate has been suspended or revoked, his or her application for a license has been denied, or he or she has never applied for a license.)

The Code prohibits a person whose license is suspended, revoked, or denied for, or who never has been licensed by this State and was convicted for, a third or subsequent violation of Section 625 or 625m, or a substantially corresponding local ordinance, or a fourth or subsequent suspension or revocation under Section 904, from purchasing, leasing, or otherwise acquiring a motor vehicle during the suspension, revocation, or denial period. A person who violates this prohibition is guilty of a misdemeanor punishable by imprisonment for up to 93 days and/or a maximum fine of \$100. Under the bill, the prohibition and penalty would apply to a person whose license was suspended, revoked, or denied for a third or subsequent violation of a law of another state substantially corresponding to Section 625 or 625m.

Certificate of Title

Several sections of the Code require a vehicle owner to indorse an assignment of the title on the back of the certificate of title. Instead, the bill would require that the owner indorse the assignment on the certificate of title as required by the SOS.

Fund-Raising Registration Plates

The Code requires a fund-raising registration plate series to contain the same generic background, the word "Michigan" and any other unique identifier specified by the SOS, a design or logo, and letters and numbers. The Code specifies that a personalized fund-raising registration plate may not contain more than five letter or number characters. The bill would delete this restriction.

MCL 257.219 et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

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.