

SUBSTITUTE FOR  
HOUSE BILL NO. 4470

(As amended, June 1 and September 20, 2005)

(1 of 2)

<<A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 303, 307, and 812 (MCL 257.303, 257.307, and  
257.812), sections 303 and 812 as amended by 2004 PA 362 and  
section 307 as amended by 2004 PA 502, and by adding section 252c; and to  
repeal acts and parts of acts. >>

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

<<SEC. 252C. (1) WHEN A VEHICLE IS REMOVED FROM PRIVATE PROPERTY  
AT THE DIRECTION OF A PERSON OTHER THAN THE REGISTERED OWNER OF THE  
VEHICLE OR A POLICE AGENCY, THE CUSTODIAN OF THE VEHICLE IMMEDIATELY  
SHALL NOTIFY THE POLICE AGENCY FROM WHOSE JURISDICTION THE VEHICLE WAS  
TOWED. THE CUSTODIAN SHALL SUPPLY THAT INFORMATION WHICH IS NECESSARY  
FOR THE POLICE AGENCY TO ENTER THE VEHICLE INTO THE LAW ENFORCEMENT  
INFORMATION NETWORK.

(2) UPON RECEIPT OF THE NOTIFICATION DESCRIBED IN SUBSECTION (1),  
THE POLICE AGENCY IMMEDIATELY SHALL DO ALL OF THE FOLLOWING:

(A) DETERMINE IF THE VEHICLE HAS BEEN REPORTED STOLEN.

(B) ENTER THE VEHICLE INTO THE LAW ENFORCEMENT INFORMATION  
NETWORK.

(3) THE OWNER OF THE VEHICLE REMOVED AS DESCRIBED IN SUBSECTION  
(1) MAY OBTAIN RELEASE OF THE VEHICLE BY PAYING THE ACCRUED TOWING AND  
STORAGE FEES TO THE CUSTODIAN OF THE VEHICLE. UPON RELEASE OF THE  
VEHICLE, THE CUSTODIAN SHALL NOTIFY THE POLICE AGENCY OF THE  
DISPOSITION OF THE VEHICLE.

(4) IF THE VEHICLE DESCRIBED IN SUBSECTION (1) IS NOT CLAIMED BY  
THE OWNER WITHIN 7 DAYS AFTER THE POLICE AGENCY HAS BEEN NOTIFIED BY  
House Bill No. 4470 as amended June 1, 2005

THE CUSTODIAN THAT IT HAS BEEN TAKEN INTO CUSTODY, THE VEHICLE IS  
DEEMED ABANDONED AND THE PROCEDURES PRESCRIBED IN SECTION 252A(4)(C) TO  
(9) APPLY.>>

1       Sec. 303. (1) The secretary of state shall not issue a  
2 license under this act to any of the following persons:

3       (a) A person, as an operator, who is less than 18 years of  
4 age, except as otherwise provided in this act.

5       (b) A person, as a chauffeur, who is less than 18 years of  
6 age, except as otherwise provided in this act.

7       (c) A person whose license is suspended, revoked, denied, or

1 canceled in any state. If the suspension, revocation, denial, or  
2 cancellation is not from the jurisdiction that issued the last  
3 license to the person, the secretary of state may issue a license  
4 after the expiration of 5 years from the effective date of the  
5 most recent suspension, revocation, denial, or cancellation.

6 (d) A person who in the opinion of the secretary of state is  
7 afflicted with or suffering from a physical or mental disability  
8 or disease preventing that person from exercising reasonable and  
9 ordinary control over a motor vehicle while operating the motor  
10 vehicle upon the highways.

11 (e) A person who is unable to understand highway warning or  
12 direction signs in the English language.

13 (f) A person who is unable to pass a knowledge, skill, or  
14 ability test administered by the secretary of state in connection  
15 with the issuance of an original operator's or chauffeur's  
16 license, original motorcycle indorsement, or an original or  
17 renewal of a vehicle group designation or vehicle indorsement.

18 (g) A person who has been convicted of, has received a  
19 juvenile disposition for, or has been determined responsible for  
20 2 or more moving violations under a law of this state, a local  
21 ordinance substantially corresponding to a law of this state, or  
22 a law of another state substantially corresponding to a law of  
23 this state within the preceding 3 years, if the violations  
24 occurred before issuance of an original license to the person in  
25 this, ~~or~~ another state, **OR ANOTHER COUNTRY.**

26 (h) A nonresident including a foreign exchange student.

27 (i) A person who has failed to answer a citation or notice

1 to appear in court or for any matter pending or fails to comply  
2 with an order or judgment of the court, including, but not  
3 limited to, paying all fines, costs, fees, and assessments, in  
4 violation of section 321a, until that person answers the citation  
5 or notice to appear in court or for any matter pending or  
6 complies with an order or judgment of the court, including, but  
7 not limited to, paying all fines, costs, fees, and assessments,  
8 as provided under section 321a.

9 (j) A person not licensed under this act who has been  
10 convicted of, has received a juvenile disposition for, or has  
11 been determined responsible for a crime or civil infraction  
12 described in section 319, 324, or 904. A person shall be denied a  
13 license under this subdivision for the length of time  
14 corresponding to the period of the licensing sanction that would  
15 have been imposed under section 319, 324, or 904 if the person  
16 had been licensed at the time of the violation.

17 (k) A person not licensed under this act who has been  
18 convicted of or received a juvenile disposition for committing a  
19 crime described in section 319e. A person shall be denied a  
20 license under this subdivision for the length of time that  
21 corresponds to the period of the licensing sanction that would  
22 have been imposed under section 319e if the person had been  
23 licensed at the time of the violation.

24 (l) A person not licensed under this act who is determined to  
25 have violated section 33b(1) of former 1933 (Ex Sess) PA 8,  
26 section 703(1) of the Michigan liquor control code of 1998, 1998  
27 PA 58, MCL 436.1703, or section 624a or 624b of this act. The

1 person shall be denied a license under this subdivision for a  
2 period of time that corresponds to the period of the licensing  
3 sanction that would have been imposed under those sections had  
4 the person been licensed at the time of the violation.

5 ~~—— (2) The secretary of state may deny issuance of an~~  
6 ~~operator's license until the age of 17 to a person not licensed~~  
7 ~~under this act who was convicted of or received a juvenile~~  
8 ~~disposition for violating or attempting to violate section~~  
9 ~~411a(2) of the Michigan penal code, 1931 PA 328, MCL 750.411a,~~  
10 ~~involving a school when he or she was less than 14 years of age.~~  
11 ~~A person not issued a license under this subdivision is not~~  
12 ~~eligible to begin graduated licensing training until he or she~~  
13 ~~attains 16 years of age.~~

14 ~~—— (3) The secretary of state may deny issuance of an~~  
15 ~~operator's license to a person less than 21 years of age not~~  
16 ~~licensed under this act who was convicted of or has received a~~  
17 ~~juvenile disposition for violating or attempting to violate~~  
18 ~~section 411a(2) of the Michigan penal code, 1931 PA 328, MCL~~  
19 ~~750.411a, involving a school when he or she was 14 years of age~~  
20 ~~or older, until 3 years after the date of the conviction or~~  
21 ~~juvenile disposition. A person not issued a license under this~~  
22 ~~subdivision is not eligible to begin graduated licensing training~~  
23 ~~or otherwise obtain an original operator's or chauffeur's license~~  
24 ~~until 3 years after the date of the conviction or juvenile~~  
25 ~~disposition.~~

26 ~~—— (4) The secretary of state shall deny issuance of a vehicle~~  
27 ~~group designation to a person if the person has been disqualified~~

1 ~~by the United States secretary of transportation from operating a~~  
2 ~~commercial motor vehicle.~~

3       (2) ~~—(5)—~~ Upon receiving the appropriate records of  
4 conviction, the secretary of state shall revoke the operator's or  
5 chauffeur's license of a person and deny issuance of an  
6 operator's or chauffeur's license to a person having any of the  
7 following, whether under a law of this state, a local ordinance  
8 substantially corresponding to a law of this state, or a law of  
9 another state substantially corresponding to a law of this state:

10       (a) Any combination of 2 convictions within 7 years for  
11 reckless driving in violation of section 626.

12       (b) Any combination of 2 or more convictions within 7 years  
13 for any of the following:

14       (i) A felony in which a motor vehicle was used.

15       (ii) A violation or attempted violation of section 601b(2) or  
16 (3), section 601c(1) or (2), section 602a(4) or (5), section 617,  
17 section 653a(3) or (4), or section 904(4) or (5).

18       (iii) Negligent homicide, manslaughter, or murder resulting  
19 from the operation of a vehicle or an attempt to commit any of  
20 those crimes.

21       (iv) A violation or attempted violation of section 479a(4) or  
22 (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

23       (c) Any combination of 2 convictions within 7 years for any  
24 of the following or a combination of 1 conviction for a violation  
25 or attempted violation of section 625(6) and 1 conviction for any  
26 of the following within 7 years:

27       (i) A violation or attempted violation of section 625, except

1 a violation of section 625(2), or a violation of any prior  
2 enactment of section 625 in which the defendant operated a  
3 vehicle while under the influence of intoxicating or alcoholic  
4 liquor or a controlled substance, or a combination of  
5 intoxicating or alcoholic liquor and a controlled substance, or  
6 while visibly impaired, or with an unlawful bodily alcohol  
7 content.

8 (ii) A violation or attempted violation of section 625m.

9 (iii) Former section 625b.

10 (d) One conviction for a violation or attempted violation of  
11 section 315(5), section 601b(3), section 601c(2), section 602a(4)  
12 or (5), section 617, section 625(4) or (5), section 653a(4), or  
13 section 904(4) or (5).

14 (e) One conviction of negligent homicide, manslaughter, or  
15 murder resulting from the operation of a vehicle or an attempt to  
16 commit any of those crimes.

17 (f) One conviction for a violation or attempted violation of  
18 section 479a(4) or (5) of the Michigan penal code, 1931 PA 328,  
19 MCL 750.479a.

20 (g) Any combination of 3 convictions within 10 years for any  
21 of the following or 1 conviction for a violation or attempted  
22 violation of section 625(6) and any combination of 2 convictions  
23 for any of the following within 10 years, if any of the  
24 convictions resulted from an arrest on or after January 1, 1992:

25 (i) A violation or attempted violation of section 625, except  
26 a violation of section 625(2), or a violation of any prior  
27 enactment of section 625 in which the defendant operated a

1 vehicle while under the influence of intoxicating or alcoholic  
2 liquor or a controlled substance, or a combination of  
3 intoxicating or alcoholic liquor and a controlled substance, or  
4 while visibly impaired, or with an unlawful bodily alcohol  
5 content.

6 (ii) A violation or attempted violation of section 625m.

7 (iii) Former section 625b.

8 (3) ~~—(6)—~~ The secretary of state shall revoke a license  
9 under subsection ~~—(5)—~~ (2) notwithstanding a court order unless  
10 the court order complies with section 323.

11 (4) ~~—(7)—~~ The secretary of state shall not issue a license  
12 under this act to a person whose license has been revoked under  
13 this act or revoked and denied under subsection ~~—(5)—~~ (2) until  
14 all of the following occur, as applicable:

15 (a) The later of the following:

16 (i) The expiration of not less than 1 year after the license  
17 was revoked or denied.

18 (ii) The expiration of not less than 5 years after the date  
19 of a subsequent revocation or denial occurring within 7 years  
20 after the date of any prior revocation or denial.

21 (b) For a denial under subsection ~~—(5)(a)—~~ (2) (A), (b), (c),  
22 and (g), the person rebuts by clear and convincing evidence the  
23 presumption resulting from the prima facie evidence that he or  
24 she is a habitual offender. The convictions that resulted in the  
25 revocation and denial constitute prima facie evidence that he or  
26 she is a habitual offender.

27 (c) The person meets the requirements of the department.



1 (5) THE SECRETARY OF STATE MAY DENY ISSUANCE OF AN  
2 OPERATOR'S LICENSE AS FOLLOWS:

3 (A) UNTIL THE AGE OF 17, TO A PERSON NOT LICENSED UNDER THIS  
4 ACT WHO WAS CONVICTED OF OR RECEIVED A JUVENILE DISPOSITION FOR  
5 VIOLATING OR ATTEMPTING TO VIOLATE SECTION 411A(2) OF THE  
6 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.411A, INVOLVING A  
7 SCHOOL WHEN HE OR SHE WAS LESS THAN 14 YEARS OF AGE. A PERSON NOT  
8 ISSUED A LICENSE UNDER THIS SUBDIVISION IS NOT ELIGIBLE TO BEGIN  
9 GRADUATED LICENSING TRAINING UNTIL HE OR SHE ATTAINS 16 YEARS OF  
10 AGE.

11 (B) TO A PERSON LESS THAN 21 YEARS OF AGE NOT LICENSED UNDER  
12 THIS ACT WHO WAS CONVICTED OF OR RECEIVED A JUVENILE DISPOSITION  
13 FOR VIOLATING OR ATTEMPTING TO VIOLATE SECTION 411A(2) OF THE  
14 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.411A, INVOLVING A  
15 SCHOOL WHEN HE OR SHE WAS LESS THAN 14 YEARS OF AGE OR OLDER,  
16 UNTIL 3 YEARS AFTER THE DATE OF THE CONVICTION OR JUVENILE  
17 DISPOSITION. A PERSON NOT ISSUED A LICENSE UNDER THIS SUBDIVISION  
18 IS NOT ELIGIBLE TO BEGIN GRADUATED LICENSING TRAINING OR  
19 OTHERWISE OBTAIN AN ORIGINAL OPERATOR'S OR CHAUFFEUR'S LICENSE  
20 UNTIL 3 YEARS AFTER THE DATE OF THE CONVICTION OR JUVENILE  
21 DISPOSITION.

22 (6) THE SECRETARY OF STATE SHALL DENY ISSUANCE OF A VEHICLE  
23 GROUP DESIGNATION TO A PERSON IF THE PERSON HAS BEEN DISQUALIFIED  
24 BY THE UNITED STATES SECRETARY OF TRANSPORTATION FROM OPERATING A  
25 COMMERCIAL MOTOR VEHICLE.

26 (7) ~~—(8)—~~ Multiple convictions or civil infraction  
27 determinations resulting from the same incident shall be treated

1 as a single violation for purposes of denial or revocation of a  
2 license under this section.

3 (8) ~~—(9)—~~ As used in this section, "felony in which a motor  
4 vehicle was used" means a felony during the commission of which  
5 the person operated a motor vehicle and while operating the  
6 vehicle presented real or potential harm to persons or property  
7 and 1 or more of the following circumstances existed:

8 (a) The vehicle was used as an instrument of the felony.

9 (b) The vehicle was used to transport a victim of the  
10 felony.

11 (c) The vehicle was used to flee the scene of the felony.

12 (d) The vehicle was necessary for the commission of the  
13 felony.

14 Sec. 307. (1) An applicant for an operator's or chauffeur's  
15 license shall supply a birth certificate attesting to his or her  
16 age or other sufficient documents or identification as the  
17 secretary of state may require. An application for an operator's  
18 or chauffeur's license shall be made in a manner prescribed by  
19 the secretary of state and shall contain all of the following:

20 (a) The applicant's full name, date of birth, residence  
21 address, height, sex, eye color, signature, **AND, BEGINNING**  
22 **JANUARY 1, 2007, INTENT TO BE AN ORGAN DONOR,** other information  
23 required or permitted on the license under this chapter, and, to  
24 the extent required to comply with federal law, the applicant's  
25 social security number. The applicant may provide a mailing  
26 address if the applicant receives mail at an address different  
27 from his or her residence address.

1 (b) The following notice shall be included to inform the  
2 applicant that under sections 509o and 509r of the Michigan  
3 election law, 1954 PA 116, MCL 168.509o and 168.509r, the  
4 secretary of state is required to use the residence address  
5 provided on this application as the applicant's residence address  
6 on the qualified voter file for voter registration and voting:

7 "NOTICE: Michigan law requires that the same address  
8 be used for voter registration and driver license  
9 purposes. Therefore, if the residence address  
10 you provide in this application differs from your  
11 voter registration address as it appears on the  
12 qualified voter file, the secretary of state  
13 will automatically change your voter registration  
14 to match the residence address on this application,  
15 after which your voter registration at your former  
16 address will no longer be valid for voting purposes.  
17 A new voter registration card, containing the  
18 information of your polling place, will be provided  
19 to you by the clerk of the jurisdiction where your  
20 residence address is located.".

21 (c) For an original or renewal operator's or chauffeur's  
22 license with a vehicle group designation or indorsement, the  
23 names of all states where the applicant has been licensed to  
24 drive any type of motor vehicle during the previous 10 years.

25 (d) For an operator's or chauffeur's license with a vehicle  
26 group designation or indorsement, the following certifications by  
27 the applicant:

28 (i) The applicant meets the applicable federal driver  
29 qualification requirements under 49 CFR part 391 if the applicant

1 operates or intends to operate in interstate commerce or meets  
2 the applicable qualifications under the rules promulgated by the  
3 department of state police under the motor carrier safety act of  
4 1963, 1963 PA 181, MCL 480.11 to 480.22, if the applicant  
5 operates or intends to operate in intrastate commerce.

6 (ii) The vehicle in which the applicant will take the driving  
7 skills tests is representative of the type of vehicle the  
8 applicant operates or intends to operate.

9 (iii) The applicant is not subject to disqualification by the  
10 United States secretary of transportation, or a suspension,  
11 revocation, or cancellation under any state law for conviction of  
12 an offense described in section 312f or 319b.

13 (iv) The applicant does not have a driver's license from more  
14 than 1 state or jurisdiction.

15 (e) An applicant for an operator's or chauffeur's license  
16 with a vehicle group designation and a hazardous material  
17 indorsement ~~—(H vehicle indorsement)—~~ shall provide his or her  
18 fingerprints ~~that were taken by a~~ **AS PRESCRIBED BY STATE AND**  
19 **FEDERAL** law. ~~—enforcement official or a designated representative~~  
20 ~~for investigation as required by the uniting and strengthening~~  
21 ~~America by providing appropriate tools required to intercept and~~  
22 ~~obstruct terrorism (USA PATRIOT ACT) Act of 2001, Public Law 107-~~  
23 ~~56.~~

24 (2) Except as provided in this subsection, an applicant for  
25 an operator's or chauffeur's license may have his or her image  
26 and signature captured or reproduced when the application for the  
27 license is made. An applicant required under section 5a of the

1 sex offenders registration act, 1994 PA 295, MCL 28.725a, to  
2 maintain a valid operator's or chauffeur's license or official  
3 state personal identification card shall have his or her image  
4 and signature captured or reproduced when the application for the  
5 license is made. The secretary of state shall acquire by purchase  
6 or lease the equipment for capturing the images and signatures  
7 and may furnish the equipment to a local unit authorized by the  
8 secretary of state to license drivers. The secretary of state  
9 shall acquire equipment purchased or leased pursuant to this  
10 section under standard purchasing procedures of the department of  
11 management and budget based on standards and specifications  
12 established by the secretary of state. The secretary of state  
13 shall not purchase or lease equipment until an appropriation for  
14 the equipment has been made by the legislature. An image and  
15 signature captured pursuant to this section shall appear on the  
16 applicant's operator's or chauffeur's license. Except as provided  
17 in this subsection, the secretary of state may retain and use a  
18 person's image and signature described in this subsection only  
19 for programs administered by the secretary of state. Except as  
20 provided in this subsection, the secretary of state shall not use  
21 a person's image or signature, or both, unless the person grants  
22 written permission for that purpose to the secretary of state or  
23 specific enabling legislation permitting the use is enacted into  
24 law. A law enforcement agency of this state has access to  
25 information retained by the secretary of state under this  
26 subsection. The information may be utilized for any law  
27 enforcement purpose unless otherwise prohibited by law. The

1 department of state police shall provide to the secretary of  
2 state updated lists of persons required to be registered under  
3 the sex offenders registration act, 1994 PA 295, MCL 28.721 to  
4 28.732, and the secretary of state shall make the images of those  
5 persons available to the department of state police as provided  
6 in that act.

7 (3) An application shall contain a signature or verification  
8 and certification by the applicant, as determined by the  
9 secretary of state, and shall be accompanied by the proper fee.  
10 The secretary of state shall collect the application fee with the  
11 application. The secretary of state shall refund the application  
12 fee to the applicant if the license applied for is denied, but  
13 shall not refund the fee to an applicant who fails to complete  
14 the examination requirements of the secretary of state within 90  
15 days after the date of application for a license.

16 (4) In conjunction with the **APPLICATION FOR OR, UNTIL**  
17 **JANUARY 1, 2007, THE** issuance of an operator's or chauffeur's  
18 license, the secretary of state shall do all of the following:

19 (a) Provide the applicant with all of the following:

20 (i) ~~Written information~~ **INFORMATION** explaining the  
21 applicant's right to make an anatomical gift in the event of  
22 death in accordance with section 310.

23 (ii) ~~Written information~~ **INFORMATION** describing the organ,  
24 ~~donation~~ **TISSUE, AND EYE DONOR** registry program. ~~maintained by~~  
25 ~~Michigan's federally designated organ procurement organization or~~  
26 ~~its successor organization.~~ The ~~written~~ information required  
27 under this subparagraph ~~shall include, in a type size and format~~

~~that is conspicuous in relation to the surrounding material,~~  
**INCLUDES** the address and telephone number of Michigan's federally  
 designated organ procurement organization or its successor  
 organization. ~~—, along with an advisory to call Michigan's~~  
~~federally designated organ procurement organization or its~~  
~~successor organization with questions about the organ donor~~  
~~registry program.~~

(iii) ~~Written information~~ **INFORMATION** giving the applicant  
 the opportunity to be placed on the ~~organ donation~~ registry  
 described in subparagraph (ii).

(b) Provide the applicant with the opportunity to specify on  
 his or her operator's or chauffeur's license that he or she is  
 willing to make an anatomical gift in the event of death in  
 accordance with section 310.

(c) Inform the applicant ~~in writing~~ that, if he or she  
 indicates to the secretary of state under this section a  
 willingness to have his or her name placed on the ~~organ donor~~  
 registry described in subdivision (a)(ii), the secretary of state  
 will ~~forward~~ **MARK** the applicant's ~~name and address to~~ **RECORD**  
**FOR** the ~~organ donation~~ registry. ~~maintained by Michigan's~~  
~~federally designated organ procurement organization or its~~  
~~successor organization, as required by subsection (6).~~

(d) Provide the applicant with the opportunity to make a  
 donation of \$1.00 or more to the organ and tissue donation  
 education fund created under section 2170. A donation made under  
 this ~~provision~~ **SUBDIVISION** shall be deposited in the state  
 treasury to the credit of the organ and tissue donation education

1 fund.

2 (5) The secretary of state may fulfill the requirements of  
3 subsection (4) by 1 or more of the following methods:

4 (a) Providing printed material enclosed with a mailed notice  
5 for an operator's or chauffeur's license renewal or the issuance  
6 of an operator's or chauffeur's license.

7 (b) Providing printed material to an applicant who  
8 personally appears at a secretary of state branch office.

9 (c) Through electronic information transmittals for  
10 operator's and chauffeur's licenses processed by electronic  
11 means.

12 (6) ~~If~~ **UNTIL JANUARY 1, 2007, IF** an applicant indicates a  
13 willingness under this section to have his or her name placed on  
14 the organ donor registry described in subsection (4)(a)(ii), the  
15 secretary of state shall within 10 days forward the applicant's  
16 name, ~~and~~ address, **AND DATE OF BIRTH** to the organ donor  
17 registry maintained by Michigan's federally designated organ  
18 procurement organization or its successor organization. The  
19 secretary of state may forward information under this subsection  
20 by mail or by electronic means. The secretary of state shall not  
21 maintain a record of the name or address of an individual who  
22 indicates a willingness to have his or her name placed on the  
23 organ donor registry after forwarding that information to the  
24 organ donor registry under this subsection. Information about an  
25 applicant's indication of a willingness to have his or her name  
26 placed on the organ donor registry that is obtained by the  
27 secretary of state under subsection (4) and forwarded under this



1 subsection is exempt from disclosure under ~~the freedom of~~  
2 ~~information act, 1976 PA 442, MCL 15.231 to 15.246, pursuant to~~  
3 section 13(1)(d) of the freedom of information act, 1976 PA 442,  
4 MCL 15.243. **BEGINNING JANUARY 1, 2007, THE SECRETARY OF STATE**  
5 **SHALL MAINTAIN A RECORD OF AN INDIVIDUAL WHO INDICATES A**  
6 **WILLINGNESS TO HAVE HIS OR HER NAME PLACED ON THE REGISTRY**  
7 **DESCRIBED IN SUBSECTION (4) (A) (ii) . INFORMATION ABOUT AN**  
8 **APPLICANT'S INDICATION OF A WILLINGNESS TO HAVE HIS OR HER NAME**  
9 **PLACED ON THE REGISTRY THAT IS OBTAINED BY THE SECRETARY OF STATE**  
10 **UNDER SUBSECTION (4) AND FORWARDED UNDER SUBSECTION (14) IS**  
11 **EXEMPT FROM DISCLOSURE UNDER SECTION 13(1)(D) OF THE FREEDOM OF**  
12 **INFORMATION ACT, 1976 PA 442, MCL 15.243.**

13 (7) If an application is received from a person previously  
14 licensed in another jurisdiction, the secretary of state shall  
15 request a copy of the applicant's driving record and other  
16 available information from the national driver register. When  
17 received, the driving record and other available information  
18 become a part of the driver's record in this state.

19 (8) If an application is received for an original, renewal,  
20 or upgrade of a vehicle group designation or indorsement, the  
21 secretary of state shall request the person's complete driving  
22 record from all states where the applicant was previously  
23 licensed to drive any type of motor vehicle over the last 10  
24 years before issuing a vehicle group designation or indorsement  
25 to the applicant. If the applicant does not hold a valid  
26 commercial motor vehicle driver license from a state where he or  
27 she was licensed in the last 10 years, this complete driving

1 record request must be made not earlier than 24 hours before the  
2 secretary of state issues the applicant a vehicle group  
3 designation or indorsement. For all other drivers, this request  
4 must be made not earlier than 10 days before the secretary of  
5 state issues the applicant a vehicle group designation or  
6 indorsement. The secretary of state shall also check the  
7 applicant's driving record with the national driver register and  
8 the federal commercial driver license information system before  
9 issuing that group designation or indorsement. If the application  
10 is for the renewal of a vehicle group designation or indorsement,  
11 and if the secretary of state enters on the person's historical  
12 driving record maintained under section 204a a notation that the  
13 request was made and the date of the request, the secretary of  
14 state is required to request the applicant's complete driving  
15 record from other states only once under this section.

16 (9) Except for a vehicle group designation or indorsement or  
17 as provided in this subsection, the secretary of state may issue  
18 a renewal operator's or chauffeur's license for 1 additional 4-  
19 year period by mail or by other methods prescribed by the  
20 secretary of state. The secretary of state may check the  
21 applicant's driving record through the national driver register  
22 and the commercial driver license information system before  
23 issuing a license under this section. The secretary of state  
24 shall issue a renewal license only in person if the person is a  
25 person required under section 5a of the sex offenders  
26 registration act, 1994 PA 295, MCL 28.725a, to maintain a valid  
27 operator's or chauffeur's license or official state personal

1 identification card. If a license is renewed by mail or by other  
2 method, the secretary of state shall issue evidence of renewal to  
3 indicate the date the license expires in the future. The  
4 department of state police shall provide to the secretary of  
5 state updated lists of persons required under section 5a of the  
6 sex offenders registration act, 1994 PA 295, MCL 28.725a, to  
7 maintain a valid operator's or chauffeur's license or official  
8 state personal identification card.

9 (10) Upon request, the secretary of state shall provide an  
10 information manual to an applicant explaining how to obtain a  
11 vehicle group designation or indorsement. The manual shall  
12 contain the information required under 49 CFR part 383.

13 (11) The secretary of state shall not disclose a social  
14 security number obtained under subsection (1) to another person  
15 except for use for 1 or more of the following purposes:

16 (a) Compliance with 49 USC 31301 to 31317 and regulations  
17 and state law and rules related to this chapter.

18 (b) Through the law enforcement information network, to  
19 carry out the purposes of section 466(a) of the social security  
20 act, 42 USC 666, in connection with matters relating to  
21 paternity, child support, or overdue child support.

22 (c) To check an applicant's driving record through the  
23 national driver register and the commercial driver license  
24 information system when issuing a license under this act.

25 **(D) WITH THE DEPARTMENT OF COMMUNITY HEALTH, FOR COMPARISON**  
26 **WITH VITAL RECORDS MAINTAINED BY THE DEPARTMENT OF COMMUNITY**  
27 **HEALTH UNDER PART 28 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL**

1 333.2801 TO 333.2899.

2 (E) ~~—(d)—~~ As otherwise required by law.

3 (12) The secretary of state shall not display a person's  
4 social security number on the person's operator's or chauffeur's  
5 license.

6 (13) A requirement under this section to include a social  
7 security number on an application does not apply to an applicant  
8 who demonstrates he or she is exempt under law from obtaining a  
9 social security number or to an applicant who for religious  
10 convictions is exempt under law from disclosure of his or her  
11 social security number under these circumstances. The secretary  
12 of state shall inform the applicant of this possible exemption.

13 (14) BEGINNING JANUARY 1, 2007, THE SECRETARY OF STATE SHALL  
14 MAINTAIN THE ORGAN, TISSUE, AND EYE DONOR REGISTRY IN A MANNER  
15 THAT PROVIDES ELECTRONIC ACCESS, INCLUDING, BUT NOT LIMITED TO,  
16 TRANSFER OF DATA TO THIS STATE'S FEDERALLY DESIGNATED ORGAN  
17 PROCUREMENT ORGANIZATIONS, THEIR SUCCESSOR ORGANIZATIONS, AND  
18 TISSUE AND EYE BANKS WITH LIMITATIONS ON THE USE OF AND ACCESS TO  
19 THE DONOR REGISTRY AS DETERMINED BY THE SECRETARY OF STATE.

20 Sec. 812. (1) Except as otherwise provided in subsection  
21 (2), for each duplicate license as provided in section 313, and  
22 for each correction of a license, a person may apply for renewal  
23 of the license and pay the renewal fee prescribed in this act or  
24 the person may, at his or her option and upon payment of the fee  
25 prescribed in this section, apply for a duplicate license which  
26 expires on the same date as the license which was lost,  
27 destroyed, mutilated, or became illegible. The secretary of state

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1 may check the applicant's driving record through the national  
 2 driver register and the commercial driver license information  
 3 system before issuing a license under this section. The fee for a  
 4 duplicate chauffeur's license ~~shall be~~ **IS** \$18.00. The fee for a  
 5 duplicate operator's license ~~shall be~~ **IS** \$9.00. A renewal fee  
 6 shall not be charged for a change of address, ~~or~~ a correction  
 7 required to correct a department error, **OR, BEGINNING JANUARY 1,**  
 8 **2007, TO ADD OR REMOVE A HEART INSIGNIA DESCRIBED IN SECTION 310.**

9 (2) Except with regard to a person who is less than 21 years  
 10 of age or a person with a license containing a hazardous material  
 11 indorsement, for each duplicate license as provided in section  
 12 313, and for each correction of a license, a person shall apply  
 13 for renewal of the license and pay the renewal fee prescribed in  
 14 this act if the license was due to expire within the next 12  
 15 months. Except as otherwise provided in this act, a license  
 16 renewed under this subsection shall be renewed for the combined  
 17 period of the time remaining on the license before its renewal  
 18 and the 4-year renewal period.

<<Enacting section 1. Section 252c of the Michigan vehicle code,  
 1949 PA 300, MCL 257.252c, is repealed effective October 1, 2005.>>

19 Enacting section <<2>>. This amendatory act does not take  
 20 effect unless all of the following bills of the 93rd Legislature  
 21 are enacted into law:

22 (a) Senate Bill No. 301.

23 (b) House Bill No. 4082.

24 (c) House Bill No. 4469.