

HOUSE BILL No. 4470

March 8, 2005, Introduced by Reps. LaJoy and Gleason and referred to the Committee on Transportation.

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.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 303. (1) The secretary of state shall not issue a license
2 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.

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

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

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

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

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

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

1 (i) A person who has failed to answer a citation or notice to
2 appear in court or for any matter pending or fails to comply with
3 an order or judgment of the court, including, but not limited to,
4 paying all fines, costs, fees, and assessments, in violation of
5 section 321a, until that person answers the citation or notice to
6 appear in court or for any matter pending or complies with an order
7 or judgment of the court, including, but not limited to, paying all
8 fines, costs, fees, and assessments, as provided under section
9 321a.

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

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

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

1 436.1703, or section 624a or 624b of this act. The person shall be
2 denied a license under this subdivision for a period of time that
3 corresponds to the period of the licensing sanction that would have
4 been imposed under those sections had the person been licensed at
5 the time of the violation.

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

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

25 ~~—— (4) The secretary of state shall deny issuance of a vehicle~~
26 ~~group designation to a person if the person has been disqualified~~
27 ~~by the United States secretary of transportation from operating a~~

1 ~~commercial motor vehicle.~~

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

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

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

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

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

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

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

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

26 (i) A violation or attempted violation of section 625, except a
27 violation of section 625(2), or a violation of any prior enactment

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

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

7 (iii) Former section 625b.

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

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

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

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

23 (i) A violation or attempted violation of section 625, except a
24 violation of section 625(2), or a violation of any prior enactment
25 of section 625 in which the defendant operated a vehicle while
26 under the influence of intoxicating or alcoholic liquor or a
27 controlled substance, or a combination of intoxicating or alcoholic

1 liquor and a controlled substance, or while visibly impaired, or
2 with an unlawful bodily alcohol content.

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

4 (iii) Former section 625b.

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

8 (4) ~~—(7)—~~ The secretary of state shall not issue a license
9 under this act to a person whose license has been revoked under
10 this act or revoked and denied under subsection ~~—(5)—~~ (2) until all
11 of the following occur, as applicable:

12 (a) The later of the following:

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

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

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

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

25 (5) **THE SECRETARY OF STATE MAY DENY ISSUANCE OF AN OPERATOR'S**
26 **LICENSE AS FOLLOWS:**

27 (A) **UNTIL THE AGE OF 17, TO A PERSON NOT LICENSED UNDER THIS**

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

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

17 (6) THE SECRETARY OF STATE SHALL DENY ISSUANCE OF A VEHICLE
18 GROUP DESIGNATION TO A PERSON IF THE PERSON HAS BEEN DISQUALIFIED
19 BY THE UNITED STATES SECRETARY OF TRANSPORTATION FROM OPERATING A
20 COMMERCIAL MOTOR VEHICLE.

21 (7) ~~-(8)-~~ Multiple convictions or civil infraction
22 determinations resulting from the same incident shall be treated as
23 a single violation for purposes of denial or revocation of a
24 license under this section.

25 (8) ~~-(9)-~~ As used in this section, "felony in which a motor
26 vehicle was used" means a felony during the commission of which the
27 person operated a motor vehicle and while operating the vehicle

1 presented real or potential harm to persons or property and 1 or
2 more of the following circumstances existed:

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

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

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

6 (d) The vehicle was necessary for the commission of the
7 felony.

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

14 (a) The applicant's full name, date of birth, residence
15 address, height, sex, eye color, signature, **BEGINNING JANUARY 1,**
16 **2007, INTENT TO BE AN ORGAN DONOR,** other information required or
17 permitted on the license under this chapter, and, to the extent
18 required to comply with federal law, the applicant's social
19 security number. The applicant may provide a mailing address if the
20 applicant receives mail at an address different from his or her
21 residence address.

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

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

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

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

19 (i) The applicant meets the applicable federal driver
20 qualification requirements under 49 CFR part 391 if the applicant
21 operates or intends to operate in interstate commerce or meets the
22 applicable qualifications under the rules promulgated by the
23 department of state police under the motor carrier safety act of
24 1963, 1963 PA 181, MCL 480.11 to 480.22, if the applicant operates
25 or intends to operate in intrastate commerce.

26 (ii) The vehicle in which the applicant will take the driving
27 skills tests is representative of the type of vehicle the applicant

1 operates or intends to operate.

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

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

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

16 (2) Except as provided in this subsection, an applicant for an
17 operator's or chauffeur's license may have his or her image and
18 signature captured or reproduced when the application for the
19 license is made. An applicant required under section 5a of the sex
20 offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a
21 valid operator's or chauffeur's license or official state personal
22 identification card shall have his or her image and signature
23 captured or reproduced when the application for the license is
24 made. The secretary of state shall acquire by purchase or lease the
25 equipment for capturing the images and signatures and may furnish
26 the equipment to a local unit authorized by the secretary of state
27 to license drivers. The secretary of state shall acquire equipment

1 purchased or leased pursuant to this section under standard
2 purchasing procedures of the department of management and budget
3 based on standards and specifications established by the secretary
4 of state. The secretary of state shall not purchase or lease
5 equipment until an appropriation for the equipment has been made by
6 the legislature. An image and signature captured pursuant to this
7 section shall appear on the applicant's operator's or chauffeur's
8 license. Except as provided in this subsection, the secretary of
9 state may retain and use a person's image and signature described
10 in this subsection only for programs administered by the secretary
11 of state. Except as provided in this subsection, the secretary of
12 state shall not use a person's image or signature, or both, unless
13 the person grants written permission for that purpose to the
14 secretary of state or specific enabling legislation permitting the
15 use is enacted into law. A law enforcement agency of this state has
16 access to information retained by the secretary of state under this
17 subsection. The information may be utilized for any law enforcement
18 purpose unless otherwise prohibited by law. The department of state
19 police shall provide to the secretary of state updated lists of
20 persons required to be registered under the sex offenders
21 registration act, 1994 PA 295, MCL 28.721 to 28.732, and the
22 secretary of state shall make the images of those persons available
23 to the department of state police as provided in that act.

24 (3) An application shall contain a signature or verification
25 and certification by the applicant, as determined by the secretary
26 of state, and shall be accompanied by the proper fee. The secretary
27 of state shall collect the application fee with the application.

1 The secretary of state shall refund the application fee to the
2 applicant if the license applied for is denied, but shall not
3 refund the fee to an applicant who fails to complete the
4 examination requirements of the secretary of state within 90 days
5 after the date of application for a license.

6 (4) In conjunction with the **APPLICATION FOR OR** issuance of an
7 operator's or chauffeur's license, the secretary of state shall do
8 all of the following:

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

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

13 (ii) ~~Written information~~ **INFORMATION** describing the organ,
14 ~~donation~~ **TISSUE, AND EYE DONOR** registry program. ~~maintained by~~
15 ~~Michigan's federally designated organ procurement organization or~~
16 ~~its successor organization.~~ The ~~written~~ information required
17 under this subparagraph ~~shall include, in a type size and format~~
18 ~~that is conspicuous in relation to the surrounding material,~~
19 **INCLUDES** the address and telephone number of Michigan's federally
20 designated organ procurement organization or its successor
21 organization. ~~, along with an advisory to call Michigan's~~
22 ~~federally designated organ procurement organization or its~~
23 ~~successor organization with questions about the organ donor~~
24 ~~registry program.~~

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

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

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

13 (d) Provide the applicant with the opportunity to make a
14 donation of \$1.00 or more to the organ and tissue donation
15 education fund created under section 217o. A donation made under
16 this ~~provision~~ **SUBDIVISION** shall be deposited in the state
17 treasury to the credit of the organ and tissue donation education
18 fund.

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

21 (a) Providing printed material enclosed with a mailed notice
22 for an operator's or chauffeur's license renewal or the issuance of
23 an operator's or chauffeur's license.

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

26 (c) Through electronic information transmittals for operator's
27 and chauffeur's licenses processed by electronic means.

1 (6) ~~If~~ **UNTIL JANUARY 1, 2007, IF** an applicant indicates a
2 willingness under this section to have his or her name placed on
3 the organ donor registry described in subsection (4)(a)(ii), the
4 secretary of state shall within 10 days forward the applicant's
5 name and address to the organ donor registry maintained by
6 Michigan's federally designated organ procurement organization or
7 its successor organization. The secretary of state may forward
8 information under this subsection by mail or by electronic means.
9 The secretary of state shall not maintain a record of the name or
10 address of an individual who indicates a willingness to have his or
11 her name placed on the organ donor registry after forwarding that
12 information to the organ donor registry under this subsection.
13 Information about an applicant's indication of a willingness to
14 have his or her name placed on the organ donor registry that is
15 obtained by the secretary of state under subsection (4) and
16 forwarded under this subsection is exempt from disclosure under ~~the~~
17 ~~freedom of information act, 1976 PA 442, MCL 15.231 to 15.246,~~
18 ~~pursuant to~~ section 13(1)(d) of the freedom of information act,
19 1976 PA 442, MCL 15.243. **BEGINNING JANUARY 1, 2007, THE SECRETARY**
20 **OF STATE SHALL MAINTAIN A RECORD OF AN INDIVIDUAL WHO INDICATES A**
21 **WILLINGNESS TO HAVE HIS OR HER NAME PLACED ON THE REGISTRY**
22 **DESCRIBED IN SUBSECTION (4)(A)(ii). INFORMATION ABOUT AN APPLICANT'S**
23 **INDICATION OF A WILLINGNESS TO HAVE HIS OR HER NAME PLACED ON THE**
24 **REGISTRY THAT IS OBTAINED BY THE SECRETARY OF STATE UNDER**
25 **SUBSECTION (4) AND FORWARDED UNDER SUBSECTION (14) IS EXEMPT FROM**
26 **DISCLOSURE UNDER SECTION 13(1)(D) OF THE FREEDOM OF INFORMATION**
27 **ACT, 1976 PA 442, MCL 15.243.**

1 (7) If an application is received from a person previously
2 licensed in another jurisdiction, the secretary of state shall
3 request a copy of the applicant's driving record and other
4 available information from the national driver register. When
5 received, the driving record and other available information become
6 a part of the driver's record in this state.

7 (8) If an application is received for an original, renewal, or
8 upgrade of a vehicle group designation or indorsement, the
9 secretary of state shall request the person's complete driving
10 record from all states where the applicant was previously licensed
11 to drive any type of motor vehicle over the last 10 years before
12 issuing a vehicle group designation or indorsement to the
13 applicant. If the applicant does not hold a valid commercial motor
14 vehicle driver license from a state where he or she was licensed in
15 the last 10 years, this complete driving record request must be
16 made not earlier than 24 hours before the secretary of state issues
17 the applicant a vehicle group designation or indorsement. For all
18 other drivers, this request must be made not earlier than 10 days
19 before the secretary of state issues the applicant a vehicle group
20 designation or indorsement. The secretary of state shall also check
21 the applicant's driving record with the national driver register
22 and the federal commercial driver license information system before
23 issuing that group designation or indorsement. If the application
24 is for the renewal of a vehicle group designation or indorsement,
25 and if the secretary of state enters on the person's historical
26 driving record maintained under section 204a a notation that the
27 request was made and the date of the request, the secretary of

1 state is required to request the applicant's complete driving
2 record from other states only once under this section.

3 (9) Except for a vehicle group designation or indorsement or
4 as provided in this subsection, the secretary of state may issue a
5 renewal operator's or chauffeur's license for 1 additional 4-year
6 period by mail or by other methods prescribed by the secretary of
7 state. The secretary of state may check the applicant's driving
8 record through the national driver register and the commercial
9 driver license information system before issuing a license under
10 this section. The secretary of state shall issue a renewal license
11 only in person if the person is a person required under section 5a
12 of the sex offenders registration act, 1994 PA 295, MCL 28.725a, to
13 maintain a valid operator's or chauffeur's license or official
14 state personal identification card. If a license is renewed by mail
15 or by other method, the secretary of state shall issue evidence of
16 renewal to indicate the date the license expires in the future. The
17 department of state police shall provide to the secretary of state
18 updated lists of persons required under section 5a of the sex
19 offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a
20 valid operator's or chauffeur's license or official state personal
21 identification card.

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

26 (11) The secretary of state shall not disclose a social
27 security number obtained under subsection (1) to another person

1 except for use for 1 or more of the following purposes:

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

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

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

11 (d) As otherwise required by law.

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

15 (13) A requirement under this section to include a social
16 security number on an application does not apply to an applicant
17 who demonstrates he or she is exempt under law from obtaining a
18 social security number or to an applicant who for religious
19 convictions is exempt under law from disclosure of his or her
20 social security number under these circumstances. The secretary of
21 state shall inform the applicant of this possible exemption.

22 **(14) BEGINNING JANUARY 1, 2007, THE SECRETARY OF STATE SHALL**
23 **MAINTAIN THE ORGAN, TISSUE, AND EYE DONOR REGISTRY IN A MANNER THAT**
24 **PROVIDES ELECTRONIC ACCESS TO THIS STATE'S FEDERALLY DESIGNATED**
25 **ORGAN PROCUREMENT ORGANIZATIONS, THEIR SUCCESSOR ORGANIZATIONS, AND**
26 **TISSUE AND EYE BANKS WITH LIMITATIONS ON THE USE AND ACCESS TO THE**
27 **DONOR REGISTRY AS DETERMINED BY THE SECRETARY OF STATE.**

1 Sec. 812. (1) Except as otherwise provided in subsection (2),
2 for each duplicate license as provided in section 313, and for each
3 correction of a license, a person may apply for renewal of the
4 license and pay the renewal fee prescribed in this act or the
5 person may, at his or her option and upon payment of the fee
6 prescribed in this section, apply for a duplicate license which
7 expires on the same date as the license which was lost, destroyed,
8 mutilated, or became illegible. The secretary of state may check
9 the applicant's driving record through the national driver register
10 and the commercial driver license information system before issuing
11 a license under this section. The fee for a duplicate chauffeur's
12 license ~~shall be~~ **IS** \$18.00. The fee for a duplicate operator's
13 license ~~shall be~~ **IS** \$9.00. A renewal fee shall not be charged for
14 a change of address, ~~or~~ a correction required to correct a
15 department error, **OR, BEGINNING JANUARY 1, 2007, TO ADD OR REMOVE A**
16 **HEART INSIGNIA DESCRIBED IN SECTION 310.**

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

27 Enacting section 1. This amendatory act does not take effect

1 unless all of the following bills of the 93rd Legislature are
2 enacted into law:

3 (a) House Bill No. 4082.

4 (b) Senate Bill No.____ or House Bill No.____ (request no.
5 01179'05).

6 (c) Senate Bill No.____ or House Bill No. 4469(request no.
7 02184'05).