

Act No. 194
Public Acts of 2009
Approved by the Governor
December 28, 2009
Filed with the Secretary of State
December 28, 2009
EFFECTIVE DATE: December 28, 2009

STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009

Introduced by Reps. Kurtz, Valentine, Byrnes, Robert Jones, Liss and Womack

ENROLLED HOUSE BILL No. 5503

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 321c (MCL 257.321c), as added by 1996 PA 240.

The People of the State of Michigan enact:

Sec. 321c. (1) If a friend of the court notifies the secretary of state that a licensee has failed to appear for a hearing, comply with a repayment plan order, or respond to a license suspension notice under the support and parenting time enforcement act, 1982 PA 295, MCL 552.601 to 552.650, the secretary of state shall immediately suspend the operator's or chauffeur's license of the licensee and shall notify the licensee of the suspension by first-class mail.

(2) If a person's license is suspended under subsection (1), the secretary of state shall not issue a license to the person if the person's license is already suspended, revoked, or denied or if the person does not have a license to suspend until the person is in compliance with subsection (3) and other provisions of this act.

(3) A suspension imposed under subsection (1) or (2) remains in effect until all of the following occur:

(a) The person obtains a certificate from the friend of the court showing that the person is complying with the custody, parenting time, or support order, and provides that certificate to the secretary of state within 10 days after the date of issuance noted on the certificate.

(b) The person pays to the circuit court clerk a \$45.00 driver license clearance fee.

(c) The person pays the reinstatement fee imposed under section 320e.

(4) Unless a person's license is otherwise suspended, revoked, denied, or canceled, the license is immediately reinstated on satisfaction of the requirements of subsection (3). The secretary of state shall reissue the operator's or chauffeur's license of a person whose suspension is rescinded under subsection (3) within 30 days after receipt of the certificate obtained under subsection (3)(a), evidence of the payment of the fee under subsection (3)(b), and the fee imposed under section 320e.

(5) If a person provides a copy of a certificate obtained under subsection (3) to the secretary of state more than 10 days after the date of issuance noted on the certificate, the certificate is no longer valid, and the secretary of state shall not reinstate the person's license. A person who fails to provide a copy of the certificate to the secretary of state within 10 days after the date of issuance shall obtain another certificate from the friend of the court and satisfy the requirements of subsection (3) before the secretary of state shall reinstate that person's license.

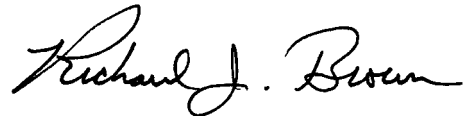
(6) For each fee received under subsection (3)(b), the clerk shall transmit the following amounts on a monthly basis:

(a) Fifteen dollars to the secretary of state. The secretary of state shall deposit money received under this subdivision in the general fund. The money shall be expended to defray the expenses of the secretary of state in processing the suspension and reinstatement of driver licenses under this section.

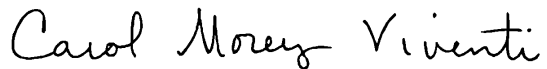
(b) Thirty dollars to the treasurer of the county. The treasurer shall deposit money received under this subdivision in the county friend of the court fund created in section 2530 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2530.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 100 of the 95th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: Senate Bill No. 100, referred to in enacting section 1, was filed with the Secretary of State December 28, 2009, and became 2009 PA 193, Imd. Eff. Dec. 28, 2009.