

SENATE BILL No. 306

April 10, 2013, Introduced by Senator SCHUITMAKER and referred to the Committee on Education.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 303 and 319 (MCL 257.303 and 257.319), as
amended by 2012 PA 306.

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.

7 (c) A person whose license is suspended, revoked, denied, or
8 canceled in any state. If the suspension, revocation, denial, or
9 cancellation is not from the jurisdiction that issued the last

1 license to the person, the secretary of state may issue a license
2 after the expiration of 5 years from the effective date of the most
3 recent suspension, revocation, denial, or cancellation.

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

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

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

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

24 (h) A nonresident, including, but not limited to, a foreign
25 exchange student.

26 (i) A person who has failed to answer a citation or notice to
27 appear in court or for any matter pending or fails to comply with

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

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

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

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

1 corresponds to the period of the licensing sanction that would have
2 been imposed under those sections had the person been licensed at
3 the time of the violation.

4 (m) A person whose commercial driver license application is
5 canceled under section 324(2).

6 (n) Unless otherwise eligible under section 307(1), a person
7 who is not a citizen of the United States.

8 **(O) A PERSON NOT LICENSED UNDER THIS ACT WHO HAS RECEIVED A**
9 **JUVENILE DISPOSITION FOR THE WILLFUL AND REPEATED ABSENCE FROM**
10 **SCHOOL OR OTHER LEARNING PROGRAM. THE PERSON SHALL BE DENIED A**
11 **LICENSE UNDER THIS SUBDIVISION FOR 6 MONTHS FROM THE DATE OF**
12 **DISPOSITION.**

13 (2) Upon receiving the appropriate records of conviction, the
14 secretary of state shall revoke the operator's or chauffeur's
15 license of a person and deny issuance of an operator's or
16 chauffeur's license to a person having any of the following,
17 whether under a law of this state, a local ordinance substantially
18 corresponding to a law of this state, a law of another state
19 substantially corresponding to a law of this state ~~, or , beginning~~
20 ~~October 31, 2010,~~ a law of the United States substantially
21 corresponding to a law of this state:

22 (a) Any combination of 2 convictions within 7 years for
23 reckless driving in violation of section 626 before October 31,
24 2010 or, beginning October 31, 2010, 626(2).

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

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

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

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

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

9 (c) Any combination of 2 convictions within 7 years for any of
10 the following or a combination of 1 conviction for a violation or
11 attempted violation of section 625(6) and 1 conviction for any of
12 the following within 7 years:

13 (i) A violation or attempted violation of section 625, except a
14 violation of section 625(2), or a violation of any prior enactment
15 of section 625 in which the defendant operated a vehicle while
16 under the influence of intoxicating or alcoholic liquor or a
17 controlled substance, or a combination of intoxicating or alcoholic
18 liquor and a controlled substance, or while visibly impaired, or
19 with an unlawful bodily alcohol content.

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

21 (iii) A violation or attempted violation of former section 625b.

22 (d) One conviction for a violation or attempted violation of
23 section 315(5), section 601b(3), section 601c(2), section 602a(4)
24 or (5), section 617, section 625(4) or (5), **SECTION 626(3) OR (4)**,
25 section 653a(4), **OR** section 904(4) or (5). ~~, or, beginning October~~
26 ~~31, 2010, section 626(3) or (4).~~

27 (e) One conviction of negligent homicide, manslaughter, or

1 murder resulting from the operation of a vehicle or an attempt to
2 commit any of those crimes.

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

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

11 (i) A violation or attempted violation of section 625, except a
12 violation of section 625(2), or a violation of any prior enactment
13 of section 625 in which the defendant operated a vehicle while
14 under the influence of intoxicating or alcoholic liquor or a
15 controlled substance, or a combination of intoxicating or alcoholic
16 liquor and a controlled substance, or while visibly impaired, or
17 with an unlawful bodily alcohol content.

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

19 (iii) A violation or attempted violation of former section 625b.

20 (3) The secretary of state shall revoke a license under
21 subsection (2) notwithstanding a court order unless the court order
22 complies with section 323.

23 (4) Except as otherwise provided under section 304, the
24 secretary of state shall not issue a license under this act to a
25 person whose license has been revoked under this act or revoked and
26 denied under subsection (2) until all of the following occur, as
27 applicable:

1 (a) The later of the following:

2 (i) The expiration of not less than 1 year and 45 days after
3 the license was revoked or denied.

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

7 (b) For a denial under subsection (2)(a), (b), (c), and (g),
8 the person rebuts by clear and convincing evidence the presumption
9 resulting from the prima facie evidence that he or she is a
10 habitual offender. The convictions that resulted in the revocation
11 and denial constitute prima facie evidence that he or she is a
12 habitual offender.

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

14 (5) The secretary of state may deny issuance of an operator's
15 license as follows:

16 (a) Until the age of 17, to a person not licensed under this
17 act who was convicted of or received a juvenile disposition for
18 violating or attempting to violate section 411a(2) of the Michigan
19 penal code, 1931 PA 328, MCL 750.411a, involving a school when he
20 or she was less than 14 years of age. A person not issued a license
21 under this subdivision is not eligible to begin graduated licensing
22 training until he or she attains 16 years of age.

23 (b) To a person less than 21 years of age not licensed under
24 this act who was convicted of or received a juvenile disposition
25 for violating or attempting to violate section 411a(2) of the
26 Michigan penal code, 1931 PA 328, MCL 750.411a, involving a school
27 when he or she was 14 years of age or older, until 3 years after

1 the date of the conviction or juvenile disposition. A person not
2 issued a license under this subdivision is not eligible to begin
3 graduated licensing training or otherwise obtain an original
4 operator's or chauffeur's license until 3 years after the date of
5 the conviction or juvenile disposition.

6 (6) The secretary of state shall deny issuance of a vehicle
7 group designation to a person under either of the following
8 circumstances:

9 (a) The person has been disqualified by the United States
10 secretary of transportation from operating a commercial motor
11 vehicle.

12 (b) ~~Beginning on and after January 30, 2012, the~~ **THE** person
13 does not meet the requirements of the federal regulations under
14 parts 383 and 391 by refusing to certify the type of commercial
15 motor vehicle operation the person intends to perform and, if
16 required, fails to present to the secretary of state a valid
17 medical certification.

18 (7) Multiple convictions or civil infraction determinations
19 resulting from the same incident shall be treated as a single
20 violation for purposes of denial or revocation of a license under
21 this section.

22 (8) As used in this section, "felony in which a motor vehicle
23 was used" means a felony during the commission of which the person
24 operated a motor vehicle and while operating the vehicle presented
25 real or potential harm to persons or property and 1 or more of the
26 following circumstances existed:

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

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

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

3 (d) The vehicle was necessary for the commission of the
4 felony.

5 Sec. 319. (1) The secretary of state shall immediately suspend
6 a person's license as provided in this section upon receiving a
7 record of the person's conviction for a crime described in this
8 section, whether the conviction is under a law of this state, a
9 local ordinance substantially corresponding to a law of this state,
10 a law of another state substantially corresponding to a law of this
11 state ~~, or, beginning October 31, 2010,~~ a law of the United States
12 substantially corresponding to a law of this state.

13 (2) The secretary of state shall suspend the person's license
14 for 1 year for any of the following crimes:

15 (a) Fraudulently altering or forging documents pertaining to
16 motor vehicles in violation of section 257.

17 (b) A violation of section 413 of the Michigan penal code,
18 1931 PA 328, MCL 750.413.

19 (c) A violation of section 1 of former 1931 PA 214 ~~, MCL~~
20 ~~752.191,~~ or section 626c.

21 (d) A felony in which a motor vehicle was used. As used in
22 this section, "felony in which a motor vehicle was used" means a
23 felony during the commission of which the person convicted operated
24 a motor vehicle and while operating the vehicle presented real or
25 potential harm to persons or property and 1 or more of the
26 following circumstances existed:

27 (i) The vehicle was used as an instrument of the felony.

1 (ii) The vehicle was used to transport a victim of the felony.

2 (iii) The vehicle was used to flee the scene of the felony.

3 (iv) The vehicle was necessary for the commission of the
4 felony.

5 (e) A violation of section 602a(2) or (3) of this act or
6 section 479a(2) or (3) of the Michigan penal code, 1931 PA 328, MCL
7 750.479a.

8 (f) ~~Beginning October 31, 2010, a~~ A violation of section 601d.

9 (3) The secretary of state shall suspend the person's license
10 for 90 days for any of the following crimes:

11 (a) Failing to stop and disclose identity at the scene of an
12 accident resulting in injury in violation of section 617a.

13 (b) A violation of section 601b(2), section 601c(1), **SECTION**
14 **626(2), OR** section 653a(3). ~~, section 626 before October 31, 2010,~~
15 ~~or, beginning October 31, 2010, section 626(2).~~

16 (c) Malicious destruction resulting from the operation of a
17 vehicle under section 382(1)(b), (c), or (d) of the Michigan penal
18 code, 1931 PA 328, MCL 750.382.

19 (d) A violation of section 703(2) of the Michigan liquor
20 control code of 1998, 1998 PA 58, MCL 436.1703.

21 (4) The secretary of state shall suspend the person's license
22 for 30 days for malicious destruction resulting from the operation
23 of a vehicle under section 382(1)(a) of the Michigan penal code,
24 1931 PA 328, MCL 750.382.

25 (5) For perjury or making a false certification to the
26 secretary of state under any law requiring the registration of a
27 motor vehicle or regulating the operation of a vehicle on a

1 highway, or for conduct prohibited under section 324(1) or a local
2 ordinance substantially corresponding to section 324(1), the
3 secretary shall suspend the person's license as follows:

4 (a) If the person has no prior conviction for an offense
5 described in this subsection within 7 years, for 90 days.

6 (b) If the person has 1 or more prior convictions for an
7 offense described in this subsection within 7 years, for 1 year.

8 (6) For a violation of section 414 of the Michigan penal code,
9 1931 PA 328, MCL 750.414, the secretary of state shall suspend the
10 person's license as follows:

11 (a) If the person has no prior conviction for that offense
12 within 7 years, for 90 days.

13 (b) If the person has 1 or more prior convictions for that
14 offense within 7 years, for 1 year.

15 (7) For a violation of section 624a or 624b of this act or
16 section 703(1) of the Michigan liquor control code of 1998, 1998 PA
17 58, MCL 436.1703, the secretary of state shall suspend the person's
18 license as follows:

19 (a) If the person has 1 prior conviction for an offense
20 described in this subsection or section 33b(1) of former 1933 (Ex
21 Sess) PA 8, for 90 days. The secretary of state may issue the
22 person a restricted license after the first 30 days of suspension.

23 (b) If the person has 2 or more prior convictions for an
24 offense described in this subsection or section 33b(1) of former
25 1933 (Ex Sess) PA 8, for 1 year. The secretary of state may issue
26 the person a restricted license after the first 60 days of
27 suspension.

1 (8) The secretary of state shall suspend the person's license
2 for a violation of section 625 or 625m as follows:

3 (a) For 180 days for a violation of ~~section 625(1) or (8)~~
4 ~~before October 31, 2010 or, beginning October 31, 2010,~~ section
5 625(1) (a) or (b) or (8) if the person has no prior convictions
6 within 7 years. The secretary of state may issue the person a
7 restricted license during a specified portion of the suspension,
8 except that the secretary of state shall not issue a restricted
9 license during the first 30 days of suspension.

10 (b) For 90 days for a violation of section 625(3) if the
11 person has no prior convictions within 7 years. However, if the
12 person is convicted of a violation of section 625(3), for operating
13 a vehicle when, due to the consumption of a controlled substance or
14 a combination of alcoholic liquor and a controlled substance, the
15 person's ability to operate the vehicle was visibly impaired, the
16 secretary of state shall suspend the person's license under this
17 subdivision for 180 days. The secretary of state may issue the
18 person a restricted license during all or a specified portion of
19 the suspension.

20 (c) For 30 days for a violation of section 625(6) if the
21 person has no prior convictions within 7 years. The secretary of
22 state may issue the person a restricted license during all or a
23 specified portion of the suspension.

24 (d) For 90 days for a violation of section 625(6) if the
25 person has 1 or more prior convictions for that offense within 7
26 years.

27 (e) For 180 days for a violation of section 625(7) if the

1 person has no prior convictions within 7 years. The secretary of
2 state may issue the person a restricted license after the first 90
3 days of suspension.

4 (f) For 90 days for a violation of section 625m if the person
5 has no prior convictions within 7 years. The secretary of state may
6 issue the person a restricted license during all or a specified
7 portion of the suspension.

8 (g) ~~Beginning October 31, 2010, for~~ **FOR** 1 year for a violation
9 of section 625(1)(c) if the person has no prior convictions within
10 7 years or not more than 2 convictions within 10 years. The
11 secretary of state may issue the person a restricted license,
12 except that the secretary of state shall not issue a restricted
13 license during the first 45 days of suspension.

14 (h) ~~Beginning October 31, 2010, the~~ **THE** department shall order
15 a person convicted of violating section 625(1)(c) not to operate a
16 motor vehicle under a restricted license issued under subdivision
17 (g) unless the vehicle is equipped with an ignition interlock
18 device approved, certified, and installed as required under
19 sections 625k and 625l. The ignition interlock device may be removed
20 after the interlock device provider provides the department with
21 verification that the person has operated the vehicle with no
22 instances of reaching or exceeding a blood alcohol level of 0.025
23 grams per 210 liters of breath. This subdivision does not prohibit
24 the removal of the ignition interlock device for any of the
25 following:

26 (i) A start-up test failure that occurs within the first 2
27 months after installation of the device. As used in this

1 subdivision, "start-up test failure" means that the ignition
2 interlock device has prevented the motor vehicle from being
3 started. Multiple unsuccessful attempts at 1 time to start the
4 vehicle shall be treated as 1 start-up test failure only under this
5 subparagraph.

6 (ii) A start-up test failure occurring more than 2 months after
7 installation of the device, if not more than 15 minutes after
8 detecting the start-up test failure the person delivers a breath
9 sample that the ignition interlock device analyzes as having an
10 alcohol level of less than 0.025 grams per 210 liters of breath.

11 (iii) A retest prompted by the device, if not more than 5
12 minutes after detecting the retest failure the person delivers a
13 breath sample that the ignition interlock device analyzes as having
14 an alcohol level of less than 0.025 grams per 210 liters of breath.

15 (i) ~~Beginning October 31, 2010, if~~ **IF** an individual violates
16 the conditions of the restricted license issued under subdivision
17 (g) or operates or attempts to operate a motor vehicle with a blood
18 alcohol level of 0.025 grams per 210 liters of breath, the
19 secretary of state shall impose an additional like period of
20 suspension and restriction as prescribed under subdivision (g).
21 This subdivision does not require an additional like period of
22 suspension and restriction for any of the following:

23 (i) A start-up test failure within the first 2 months after
24 installation of the ignition interlock device. As used in this
25 subdivision, "start-up test failure" means that the ignition
26 interlock device has prevented the motor vehicle from being
27 started. Multiple unsuccessful attempts at 1 time to start the

1 vehicle shall be treated as 1 start-up test failure only under this
2 subparagraph.

3 (ii) A start-up test failure occurring more than 2 months after
4 installation of the device, if not more than 15 minutes after
5 detecting the start-up test failure the person delivers a breath
6 sample that the ignition interlock device analyzes as having an
7 alcohol level of less than 0.025 grams per 210 liters of breath.

8 (iii) Any retest prompted by the device, if not more than 5
9 minutes after detecting the retest failure the person delivers a
10 breath sample that the ignition interlock device analyzes as having
11 an alcohol level of less than 0.025 grams per 210 liters of breath.

12 (9) For a violation of section 367c of the Michigan penal
13 code, 1931 PA 328, MCL 750.367c, the secretary of state shall
14 suspend the person's license as follows:

15 (a) If the person has no prior conviction for an offense
16 described in this subsection within 7 years, for 6 months.

17 (b) If the person has 1 or more convictions for an offense
18 described in this subsection within 7 years, for 1 year.

19 (10) For a violation of section 315(4), the secretary of state
20 may suspend the person's license for 6 months.

21 (11) For a violation or attempted violation of section 411a(2)
22 of the Michigan penal code, 1931 PA 328, MCL 750.411a, involving a
23 school, the secretary of state shall suspend the license of a
24 person 14 years of age or over but less than 21 years of age until
25 3 years after the date of the conviction or juvenile disposition
26 for the violation. The secretary of state may issue the person a
27 restricted license after the first 365 days of suspension.

1 (12) For a second or subsequent violation of section 701(1) of
2 the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1701,
3 by an individual who is not a retail licensee or a retail
4 licensee's clerk, agent, or employee, the secretary of state shall
5 suspend the person's license for 180 days. The secretary of state
6 may issue a person a restricted license during all or a specified
7 portion of the suspension.

8 **(13) FOR A JUVENILE WHO IS DETERMINED TO BE WITHIN THE**
9 **JURISDICTION OF THE FAMILY DIVISION OF CIRCUIT COURT UNDER SECTION**
10 **2(A)(4) OF CHAPTER XIIA OF THE PROBATE CODE OF 1939, 1939 PA 288,**
11 **MCL 712A.2, DUE TO WILLFUL AND REPEATED ABSENCE FROM SCHOOL OR**
12 **ANOTHER LEARNING PROGRAM, THE SECRETARY OF STATE SHALL SUSPEND THE**
13 **LICENSE OF THE JUVENILE FOR 6 MONTHS BEGINNING ON THE DATE OF**
14 **DISPOSITION.**

15 (14) ~~(13)~~—Except as provided in subsection ~~(15)~~, **(16)**, a
16 suspension under this section shall be imposed notwithstanding a
17 court order unless the court order complies with section 323.

18 (15) ~~(14)~~—If the secretary of state receives records of more
19 than 1 conviction of a person resulting from the same incident, a
20 suspension shall be imposed only for the violation to which the
21 longest period of suspension applies under this section.

22 (16) ~~(15)~~—The secretary of state may waive a restriction,
23 suspension, or revocation of a person's license imposed under this
24 act if the person submits proof that a court in another state
25 revoked, suspended, or restricted his or her license for a period
26 equal to or greater than the period of a restriction, suspension,
27 or revocation prescribed under this act for the violation and that

1 the revocation, suspension, or restriction was served for the
2 violation, or may grant a restricted license.

3 (17) ~~(16)~~—The secretary of state shall not issue a restricted
4 license to a person whose license is suspended under this section
5 unless a restricted license is authorized under this section and
6 the person is otherwise eligible for a license.

7 (18) ~~(17)~~—The secretary of state shall not issue a restricted
8 license to a person under subsection (8) that would permit the
9 person to operate a commercial motor vehicle.

10 (19) ~~(18)~~—Except as provided in subsection ~~(17)~~, **(18)**, a
11 restricted license issued under this section shall permit the
12 person to whom it is issued to take any driving skills test
13 required by the secretary of state and to operate a vehicle under 1
14 or more of the following circumstances:

15 (a) In the course of the person's employment or occupation.

16 (b) To and from any combination of the following:

17 (i) The person's residence.

18 (ii) The person's work location.

19 (iii) An alcohol or drug education or treatment program as
20 ordered by the court.

21 (iv) The court probation department.

22 (v) A court-ordered community service program.

23 (vi) An educational institution at which the person is enrolled
24 as a student.

25 (vii) A place of regularly occurring medical treatment for a
26 serious condition for the person or a member of the person's
27 household or immediate family.

1 (20) ~~(19)~~ While driving with a restricted license, the person
2 shall carry proof of his or her destination and the hours of any
3 employment, class, or other reason for traveling and shall display
4 that proof upon a peace officer's request.

5 (21) ~~(20)~~ Subject to subsection ~~(22)~~, ~~(23)~~, as used in
6 subsection (8), "prior conviction" means a conviction for any of
7 the 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) Except as provided in subsection ~~(21)~~, ~~(22)~~, a violation
11 or attempted violation of any of the following:

12 (i) Section 625, except a violation of section 625(2), or a
13 violation of any prior enactment of section 625 in which the
14 defendant operated a vehicle while under the influence of
15 intoxicating or alcoholic liquor or a controlled substance, or a
16 combination of intoxicating or alcoholic liquor and a controlled
17 substance, or while visibly impaired, or with an unlawful bodily
18 alcohol content.

19 (ii) Section 625m.

20 (iii) Former section 625b.

21 (b) Negligent homicide, manslaughter, or murder resulting from
22 the operation of a vehicle or an attempt to commit any of those
23 crimes.

24 (c) ~~Beginning October 31, 2010, a~~ **A** violation of section 601d
25 or section 626(3) or (4).

26 (22) ~~(21)~~ Except for purposes of the suspensions described in
27 subsection (8)(c) and (d), only 1 violation or attempted violation

1 of section 625(6), a local ordinance substantially corresponding to
2 section 625(6), or a law of another state substantially
3 corresponding to section 625(6) may be used as a prior conviction.

4 (23) ~~(22)~~—If 2 or more convictions described in subsection
5 ~~(20)~~—(21) are convictions for violations arising out of the same
6 transaction, only 1 conviction shall be used to determine whether
7 the person has a prior conviction.

8 Enacting section 1. This amendatory act does not take effect
9 unless Senate Bill No. 305

10 of the 97th Legislature is enacted into law.