

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 706

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 304, 312f, 320e, 732a, and 904 (MCL 257.204a, 257.304, 257.312f, 257.320e, 257.732a, and 257.904), sections 204a and 320e as amended by 2020 PA 376, section 304 as amended by 2024 PA 42, section 312f as amended by 2022 PA 193, section 732a as amended by 2018 PA 50, and section 904 as amended by 2020 PA 383; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 204a. (1) The secretary of state shall create and
- 2 maintain a computerized central file that provides an individual
- 3 historical driving record for a natural person with respect to all
- 4 of the following:

1 (a) A license issued to the individual under chapter III.

2 (b) A conviction, civil infraction determination, or other  
3 licensing action that is entered against the individual for a  
4 violation of this act or a local ordinance that substantially  
5 corresponds to a provision of this act, or that is reported to the  
6 secretary of state by another jurisdiction.

7 (c) A failure of the individual, including a nonresident, to  
8 comply with a suspension issued under section 321a.

9 (d) A cancellation, denial, revocation, suspension, or  
10 restriction of the individual's operating privilege, ~~a failure to~~  
11 ~~pay a department of state driver responsibility fee, or other~~  
12 licensing action regarding that individual, under this act or that  
13 is reported to the secretary of state by another jurisdiction. This  
14 subdivision also applies to nonresidents.

15 (e) An accident in which the individual is involved.

16 ~~(f) A conviction of the person for an offense described in~~  
17 ~~former section 319e.~~

18 **(f)** ~~(g)~~ Any driving record requested and received by the  
19 secretary of state under section 307.

20 **(g)** ~~(h)~~ Any notice given by the secretary of state and the  
21 information provided in that notice under section 317(2) or (3).

22 **(h)** ~~(i)~~ Any other information received by the secretary of  
23 state regarding the individual that is required to be maintained as  
24 part of the individual's driving record as provided by law.

25 (2) A secretary of state certified computer-generated or paper  
26 copy of an order, record, or paper maintained in the computerized  
27 central file of the secretary of state is admissible in evidence in  
28 the same manner as the original and is prima facie proof of the  
29 contents of and the facts stated in the original.

1           (3) An order, record, or paper generated by the computerized  
2 central file of the secretary of state may be certified  
3 electronically by the generating computer. The certification must  
4 be a certification of the order, record, or paper as it appeared on  
5 a specific date.

6           (4) A court or the office of the clerk of a court of this  
7 state that is electronically connected by a terminal device to the  
8 computerized central file of the secretary of state may receive  
9 into and use as evidence in any case the computer-generated  
10 certified information obtained by the terminal device from the  
11 file. A duly authorized employee of a court of record of this state  
12 may order a record for an individual from a secretary of state  
13 computer terminal device located in, and under the control of, the  
14 court, and certify in writing that the document was produced from  
15 the terminal and that the document was not altered in any way.

16           (5) After receiving a request for information contained in  
17 records maintained under this section, the secretary of state shall  
18 provide the information, in a form prescribed by the secretary of  
19 state, to any of the following:

20           (a) Another state.

21           (b) The United States Secretary of Transportation.

22           (c) The individual who is the subject of the record.

23           (d) A motor carrier employer or prospective motor carrier  
24 employer, but only if the individual who is the subject of the  
25 record is first notified of the request as prescribed by the  
26 secretary of state.

27           (e) An authorized agent of an individual or entity listed in  
28 subdivisions (a) to (d).

29           Sec. 304. (1) Except as provided in subsection (3), the

1 secretary of state shall issue a restricted license to an  
2 individual whose license was suspended or restricted under section  
3 319 or revoked or denied under section 303 based on either of the  
4 following:

5 (a) Two or more convictions for violating section 625(1) or  
6 (3) or a local ordinance of this state that substantially  
7 corresponds to section 625(1) or (3).

8 (b) One conviction for violating section 625(1) or (3) or a  
9 local ordinance of this state that substantially corresponds to  
10 section 625(1) or (3), preceded by 1 or more convictions for  
11 violating a local ordinance or law of another state that  
12 substantially corresponds to section 625(1), (3), or (6), or a law  
13 of the United States that substantially corresponds to section  
14 625(1), (3), or (6).

15 (2) A restricted license issued under subsection (1) must not  
16 be issued until after the individual's operator's or chauffeur's  
17 license has been suspended or revoked for 45 days and the judge  
18 assigned to a specialty court certifies to the secretary of state  
19 that both of the following conditions have been met:

20 (a) The individual has been admitted into a specialty court  
21 interlock program.

22 (b) An ignition interlock device approved, certified, and  
23 installed as required under sections 625k and 625l has been  
24 installed on each motor vehicle owned or operated, or both, by the  
25 individual.

26 (3) A restricted license must not be issued under subsection  
27 (1) if the individual is otherwise ineligible for an operator's or  
28 chauffeur's license under this act, unless the individual's  
29 ineligibility is based on 1 or more of the following:

1 (a) Section 303(1) (h) or (j).

2 (b) Section 303(2) (c) (i) or (iii).

3 (c) Section 303(2) (g) (i) or (iii).

4 (d) Section 319(4), (5), (6), (7), (8) (a) to (e), or (9).

5 (e) Section 320(1) (d).

6 (f) Section 321a(1) or (2).

7 (g) Section 323c.

8 (h) Section 625f.

9 ~~(i) Section 732a(5).~~

10 (i) ~~(j)~~ Section 904(10).

11 (j) ~~(k)~~ Section 82105a(2) of the natural resources and  
12 environmental protection act, 1994 PA 451, MCL 324.82105a.

13 (k) ~~(l)~~ Section 3177 of the insurance code of 1956, 1956 PA  
14 218, MCL 500.3177.

15 (l) ~~(m)~~ Section 10 of the motor vehicle accident claims act,  
16 1965 PA 198, MCL 257.1110.

17 (4) A restricted license issued under subsection (1) permits  
18 the individual to whom it is issued to operate only the vehicle  
19 equipped with an ignition interlock device described in subsection  
20 (2) (b), to take any driving skills test required by the secretary  
21 of state, and to drive to and from any combination of the following  
22 locations or events:

23 (a) In the course of the individual's employment or occupation  
24 if the employment or occupation does not require a commercial  
25 driver license.

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

27 (i) The individual's residence.

28 (ii) The individual's work location.

29 (iii) An alcohol, drug, or mental health education and treatment

1 as ordered by the court.

2 (iv) Alcoholics Anonymous, Narcotics Anonymous, or other court-  
3 ordered self-help programs.

4 (v) Court hearings and probation appointments.

5 (vi) Court-ordered community service.

6 (vii) An educational institution at which the individual is  
7 enrolled as a student.

8 (viii) A place of regularly occurring medical treatment for a  
9 serious condition or medical emergency for the individual or a  
10 member of the individual's household or immediate family.

11 (ix) Alcohol or drug testing as ordered by the court.

12 (x) An ignition interlock service provider as required.

13 (xi) At the discretion of the judge, the custodian of a minor  
14 child may drive to and from the facilities of a provider of day  
15 care services at which the custodian's minor child is enrolled, or  
16 an educational institution at which the custodian's minor child is  
17 enrolled as a student for the purposes of classes, academic  
18 meetings or conferences, and athletic or other extracurricular  
19 activities sanctioned by the educational institution in which the  
20 minor child is a participant. As used in this subparagraph, "minor  
21 child" means an individual who is less than 18 years of age.

22 (5) While driving with a restricted license, the individual  
23 shall carry proof of the individual's destination and the hours of  
24 any employment, class, or other reason for traveling and shall  
25 display that proof on a peace officer's request.

26 (6) Except as otherwise provided in this section, a restricted  
27 license issued under subsection (1) is effective until a hearing  
28 officer orders an unrestricted license under section 322. Subject  
29 to subsection (7), the hearing officer shall not order an

1 unrestricted license until the later of the following events  
2 occurs:

3 (a) The court notifies the secretary of state that the  
4 individual has successfully completed the specialty court program.

5 (b) The minimum period of license sanction that would have  
6 been imposed under section 303 or 319 but for this section has been  
7 completed.

8 (c) The individual demonstrates that the individual has  
9 operated with an ignition interlock device for not less than 1  
10 year.

11 (d) The individual satisfies the requirements of section 303  
12 and R 257.313 of the Michigan Administrative Code.

13 (7) A hearing officer shall not issue an unrestricted license  
14 for at least 1 year if either of the following applies:

15 (a) The hearing officer determines that the individual  
16 consumed any alcohol during the period that the individual's  
17 license was restricted under this section, as determined by breath,  
18 blood, urine, or transdermal testing unless a second test,  
19 administered within 5 minutes after administering the first test,  
20 showed an absence of alcohol.

21 (b) The hearing officer determines that the individual  
22 consumed or otherwise used any controlled substance during the  
23 period that the individual's license was restricted under this  
24 section, except as lawfully prescribed.

25 (8) In determining whether to order an unrestricted license  
26 under subsection (6), the successful completion of the specialty  
27 court program and a certificate from the specialty court judge must  
28 be considered positive evidence of the petitioner's abstinence  
29 while the petitioner participated in the specialty court program.

1 This subsection does not apply to a determination made under  
2 subsection (7). As used in this subsection, "certificate" includes,  
3 but is not limited to, a statement that the participant has  
4 maintained a period of abstinence from alcohol for not less than 6  
5 months at the time the participant completed the specialty court  
6 program.

7 (9) If the secretary of state receives a notification from a  
8 specialty court, the secretary of state shall summarily impose 1 of  
9 the following license sanctions, as applicable:

10 (a) Suspension for the full length of time provided under  
11 section 319(8). However, a restricted license must not be issued as  
12 provided under section 319(8). This subdivision applies if the  
13 underlying conviction or convictions would have subjected the  
14 individual to a license sanction under section 319(8) if this  
15 section did not apply.

16 (b) A license revocation and denial for the full length of  
17 time provided under section 303. The minimum period of license  
18 revocation and denial imposed must be the same as if this section  
19 did not apply. This subdivision applies if the underlying  
20 conviction or convictions would have caused a license revocation  
21 and denial under section 303 if this section did not apply.

22 (10) After the individual completes the specialty court  
23 program, the following apply:

24 (a) The secretary of state shall postpone considering the  
25 issuance of an unrestricted license under section 322 for a period  
26 of 3 months for each act that would be a minor violation if the  
27 individual's license had been issued under section 322(6). As used  
28 in this subdivision, "minor violation" means that term as defined  
29 in R 257.301a of the Michigan Administrative Code.



1 (b) The restricted license issued under this section must be  
2 suspended or revoked or denied as provided in subsection (9),  
3 unless set aside under section 322(5), if any of the following  
4 events occur:

5 (i) The individual operates a motor vehicle without an ignition  
6 interlock device that meets the criteria under subsection (2)(b).

7 (ii) The individual removes, or causes to be removed, an  
8 ignition interlock device from a vehicle the individual owns or  
9 operates unless the secretary of state has authorized its removal  
10 under section 322a.

11 (iii) The individual commits any other act that would be a major  
12 violation if the individual's license had been issued under section  
13 322(6). As used in this subparagraph, "major violation" means that  
14 term as defined in R 257.301a of the Michigan Administrative Code.

15 (iv) The individual is arrested for a violation of any of the  
16 following:

17 (A) Section 625.

18 (B) A local ordinance of this state or another state that  
19 substantially corresponds to section 625.

20 (C) A law of the United States that substantially corresponds  
21 to section 625.

22 (c) If the individual is convicted of or found responsible for  
23 any offense that requires the suspension, revocation, denial, or  
24 cancellation of the individual's operator's or chauffeur's license,  
25 the restricted license issued under this section must be suspended  
26 until the requisite period of license suspension, revocation,  
27 denial, or cancellation, as appropriate, has elapsed.

28 (d) If the individual has failed to pay any court-ordered  
29 fines or costs that resulted from the operation of a vehicle, the

1 restricted license issued under this section must be suspended  
2 pending payment of those fines and costs.

3 (11) The vehicle of an individual admitted to the specialty  
4 court interlock program whose vehicle would otherwise be subject to  
5 immobilization or forfeiture under this act is exempt from both  
6 immobilization and forfeiture under sections 625n and 904d if both  
7 of the following apply:

8 (a) The individual is a specialty court interlock program  
9 participant in good standing or the individual successfully  
10 satisfactorily completes the specialty court interlock program.

11 (b) The individual does not subsequently violate a law of this  
12 state for which vehicle immobilization or forfeiture is a sanction.

13 (12) This section only applies to individuals arrested for a  
14 violation of section 625 on or after January 1, 2011.

15 Sec. 312f. (1) Except as otherwise provided in this section,  
16 an individual shall be not less than 18 years of age before ~~he or~~  
17 ~~she~~ **the individual** is issued a vehicle group designation or  
18 endorsement, other than a motorcycle endorsement, or not less than  
19 21 years of age and has been approved by the Transportation  
20 Security Administration for a hazardous material endorsement before  
21 ~~he or she~~ **the individual** is issued a hazardous material endorsement  
22 on an operator's or chauffeur's license and, as provided in this  
23 section, the individual shall pass a knowledge test and a driving  
24 skills test that comply with minimum federal standards prescribed  
25 in 49 CFR part 383 and, beginning February 7, 2022, complete the  
26 entry level driver training described and required under 49 CFR  
27 part 380. The knowledge test and the driving skills test scores  
28 must be retained by the secretary of state as provided under 49 CFR  
29 383.135. An individual who is 18 years of age or older operating a

1 vehicle to be used for farming purposes only may obtain an A or B  
2 vehicle group designation or an F vehicle endorsement. Each written  
3 examination given to an applicant for a vehicle group designation  
4 or endorsement must include subjects designed to cover the type or  
5 general class of vehicle to be operated. Except as follows, an  
6 individual shall pass an examination that includes a driving skills  
7 test designed to test competency of the applicant for an original  
8 vehicle group designation and passenger endorsement on an  
9 operator's or chauffeur's license to drive that type or general  
10 class of vehicle upon the highways of this state with safety to  
11 persons and property and, beginning February 7, 2022, complete an  
12 entry level driver training:

13 (a) The secretary of state shall waive the driving skills test  
14 for an individual operating a vehicle that is used under the  
15 conditions described in section 312e(8)(a) to (d) unless the  
16 vehicle has a gross vehicle weight rating of 26,001 pounds or more  
17 on the power unit and is to be used to carry hazardous materials on  
18 which a placard is required under 49 CFR parts 100 to 199.

19 (b) The driving skills test may be waived if the applicant has  
20 a valid license with the appropriate vehicle group designation,  
21 passenger vehicle endorsement, or school bus endorsement in another  
22 state issued in compliance with 49 USC 31301 to 31317, or if the  
23 individual successfully passes a driving skills test administered  
24 in another state that meets the requirements of federal law and the  
25 law of this state.

26 (c) The secretary of state may waive the knowledge test and  
27 the driving skills test required under this section for an  
28 individual with military commercial motor vehicle experience if the  
29 individual, at the time of application, certifies and provides

1 evidence satisfactory to the secretary of state that ~~he or she~~ **the**  
2 **individual** continuously met all of the requirements under 49 CFR  
3 part 383 during the 2-year period immediately preceding the date of  
4 application for the commercial driver license.

5 (d) Beginning February 7, 2022, the secretary of state may  
6 waive the entry level driver training required under this section  
7 for an individual who, at the time of application, certifies and  
8 provides evidence satisfactory to the secretary of state that ~~he or~~  
9 ~~she~~ **the individual** meets 1 of the exceptions for taking a driving  
10 skills test under 49 CFR part 383.

11 (2) Except for an individual who has held an operator's or  
12 chauffeur's license for less than 1 year, the secretary of state  
13 shall waive the knowledge test and the driving skills test and  
14 issue a 1-year seasonal restricted vehicle group designation to an  
15 otherwise qualified applicant to operate a group B or a group C  
16 vehicle for a farm related service industry if all of the following  
17 conditions are met:

18 (a) The applicant meets the requirements of 49 CFR 383.77.

19 (b) The seasons for which the seasonal restricted vehicle  
20 group designation is issued are from April 2 to June 30 and from  
21 September 2 to November 30 only of a 12-month period or, at the  
22 option of the applicant, for not more than 180 days from the date  
23 of issuance in a 12-month period.

24 (c) The commercial motor vehicle for which the seasonal  
25 restricted vehicle group designation is issued must be operated  
26 only if all the following conditions are met:

27 (i) The commercial motor vehicle is operated only on routes  
28 within 150 miles from the place of business to the farm or farms  
29 being served.

1           (ii) The commercial motor vehicle does not transport a quantity  
2 of hazardous materials on which a placard under 49 CFR parts 100 to  
3 199 is required except for the following:

4           (A) Diesel motor fuel in quantities of 1,000 gallons or less.

5           (B) Liquid fertilizers in quantities of 3,000 gallons or less.

6           (C) Solid fertilizers that are not transported with any  
7 organic substance.

8           (iii) The commercial motor vehicle does not require the H, N, P,  
9 S, T, or X vehicle endorsement.

10          (3) A seasonal restricted vehicle group designation under this  
11 section must be issued, suspended, revoked, canceled, denied, or  
12 renewed in accordance with this act. The secretary of state may  
13 renew a seasonal restricted vehicle group designation 1 time per  
14 calendar year regardless of whether the seasonal restricted vehicle  
15 group designation is expired at the time of renewal.

16          (4) The secretary of state may enter into an agreement with  
17 another public or private corporation or agency to conduct a  
18 driving skills test required under this section, section 312e, or  
19 49 CFR part 383 or to provide the entry level driver training  
20 described and required under 49 CFR part 380. Before the secretary  
21 of state authorizes an individual to administer a corporation's or  
22 agency's driver skills testing operations, authorizes an examiner  
23 to conduct a driving skills test, or authorizes an entry level  
24 driver training provider that meets the requirements of 49 CFR  
25 380.700 to conduct an entry level driving training, that  
26 individual, examiner, or entry level driver training provider must  
27 complete both a state and Federal Bureau of Investigation  
28 fingerprint-based criminal history check through the department of  
29 state police.

1 (5) The secretary of state shall not issue a commercial  
2 learner's permit, a vehicle group designation, or a vehicle  
3 endorsement to an applicant for an original vehicle group  
4 designation or vehicle endorsement under section 312e or may cancel  
5 a commercial learner's permit or all vehicle group designations or  
6 endorsements on an individual's operator's or chauffeur's license  
7 to whom 1 or more of the following apply:

8 (a) The applicant has had ~~his or her~~ **the applicant's** license  
9 suspended or revoked for a reason other than as provided in section  
10 321a, 515, ~~732a,~~ or 801c or section 30 of the support and parenting  
11 time enforcement act, 1982 PA 295, MCL 552.630, in the 36 months  
12 immediately preceding application. However, a vehicle group  
13 designation may be issued if the suspension or revocation was due  
14 to a temporary medical condition or failure to appear at a  
15 reexamination as provided in section 320.

16 (b) The applicant was convicted of or incurred a bond  
17 forfeiture in relation to a 6-point violation as provided in  
18 section 320a in the 24 months immediately preceding application if  
19 the violation occurred while the applicant was operating a  
20 commercial motor vehicle, or a violation of section 625(3) or  
21 former section 625b, or a local ordinance that substantially  
22 corresponds to section 625(3) or former section 625b in the 24  
23 months immediately preceding application, if the applicant was  
24 operating any type of motor vehicle.

25 (c) The applicant is listed on the National Driver Register,  
26 the Commercial Driver's License Information System, the driving  
27 records of the state in which the applicant was previously  
28 licensed, or, beginning November 18, 2024, the National Drug and  
29 Alcohol Clearinghouse as being disqualified from operating a

1 commercial motor vehicle or as having a license or driving  
2 privilege suspended, revoked, canceled, or denied.

3 (d) The applicant is listed on the National Driver Register,  
4 the Commercial Driver's License Information System, or the driving  
5 records of the state in which the applicant was previously licensed  
6 as having had a license suspended, revoked, or canceled in the 36  
7 months immediately preceding application if a suspension or  
8 revocation would have been imposed under this act had the applicant  
9 been licensed in this state in the original instance. This  
10 subdivision does not apply to a suspension or revocation that would  
11 have been imposed due to a temporary medical condition or under  
12 section 321a, 515, ~~732a~~, or 801c or section 30 of the support and  
13 parenting time enforcement act, 1982 PA 295, MCL 552.630.

14 (e) The applicant is subject to a suspension or revocation  
15 under section 319b or would have been subject to a suspension or  
16 revocation under section 319b if the applicant had been issued a  
17 vehicle group designation or vehicle endorsement.

18 (f) The applicant has been disqualified from operating a  
19 commercial motor vehicle under 49 USC 31301 to 31317 or the  
20 applicant's license to operate a commercial motor vehicle has been  
21 suspended, revoked, denied, or canceled within 36 months  
22 immediately preceding the date of application.

23 (g) The United States Secretary of Transportation has  
24 disqualified the applicant from operating a commercial motor  
25 vehicle.

26 (h) The applicant fails to satisfy the federal regulations  
27 promulgated under 49 CFR parts 383 and 391 by refusing to certify  
28 the type of commercial motor vehicle operation the applicant  
29 intends to perform and fails to present valid medical certification

1 to the secretary of state if required to do so. The requirement of  
2 this subdivision is waived from July 1, 2020 to August 31, 2021,  
3 pursuant to the Waiver in Response to the COVID-19 National  
4 Emergency - For States, CDL Holders, CLP Holders, and Interstate  
5 Drivers Operating Commercial Motor Vehicles, or any extension of  
6 that waiver issued after August 31, 2021.

7 (i) The applicant has been disqualified from operating a  
8 commercial motor vehicle due to improper or fraudulent testing.

9 (j) If the secretary of state determines through a  
10 governmental investigation that there is reason to believe that a  
11 commercial driver license or endorsement was issued as a result of  
12 fraudulent or improper conduct in taking a knowledge test or  
13 driving skills test required under 49 CFR part 383 or in completing  
14 the entry level driver training described and required under 49 CFR  
15 part 380, the secretary of state shall require the applicant to  
16 retake and successfully pass that test or complete the training.  
17 The secretary of state shall cancel any commercial driver license  
18 or endorsement issued as a result of the suspect test or training  
19 unless the applicant retakes and passes that test or completes the  
20 training.

21 (6) The secretary of state shall not renew or upgrade a  
22 vehicle group designation if 1 or more of the following conditions  
23 exist:

24 (a) The United States Secretary of Transportation has  
25 disqualified the applicant from operating a commercial motor  
26 vehicle.

27 (b) The applicant is listed on the National Driver Register,  
28 the Commercial Driver's License Information System, or, beginning  
29 November 18, 2024, the National Drug and Alcohol Clearinghouse as



1 being disqualified from operating a commercial motor vehicle or as  
2 having a driver license or driving privilege suspended, revoked,  
3 canceled, or denied.

4 (c) On or after January 30, 2012, the applicant fails to meet  
5 the requirements of 49 CFR parts 383 and 391 by refusing to certify  
6 the type of commercial motor vehicle operation the applicant  
7 intends to perform and fails to present medical certification to  
8 the secretary of state if required to do so. The requirement of  
9 this subdivision is waived from July 1, 2020 to August 31, 2021,  
10 pursuant to the Waiver in Response to the COVID-19 National  
11 Emergency - For States, CDL Holders, CLP Holders, and Interstate  
12 Drivers Operating Commercial Motor Vehicles, or any extension of  
13 that waiver issued after August 31, 2021.

14 (7) The secretary of state shall only consider bond  
15 forfeitures under subsection (5)(b) for violations that occurred on  
16 or after January 1, 1990 when determining the applicability of  
17 subsection (5).

18 (8) If an applicant for an original vehicle group designation  
19 was previously licensed in another jurisdiction, the secretary of  
20 state shall request a copy of the applicant's driving record from  
21 that jurisdiction. If 1 or more of the conditions described in  
22 subsection (5) exist in that jurisdiction when the secretary of  
23 state receives the copy, the secretary of state shall cancel all  
24 vehicle group designations on the individual's operator's or  
25 chauffeur's license.

26 (9) The secretary of state shall cancel all vehicle group  
27 designations on an individual's operator's or chauffeur's license  
28 upon receiving notice from the United States Secretary of  
29 Transportation, the National Driver Register, the Commercial

1 Driver's License Information System, or another state or  
2 jurisdiction that 1 or more of the conditions described in  
3 subsection (5) existed at the time of the individual's application  
4 in this state.

5 (10) The secretary of state shall cancel all vehicle group  
6 designations on the individual's operator's or chauffeur's license  
7 upon receiving proper notice that the individual no longer meets  
8 the federal driver qualification requirements under 49 CFR parts  
9 380, 383, and 391 to operate a commercial motor vehicle in  
10 interstate or intrastate commerce, or the individual no longer  
11 meets the driver qualification requirements to operate a commercial  
12 motor vehicle in intrastate commerce under the motor carrier safety  
13 act of 1963, 1963 PA 181, MCL 480.11 to 480.25.

14 (11) Subsection (5) (a), (b), (d), and (f) does not apply to an  
15 applicant for an original vehicle group designation who at the time  
16 of application has a valid license to operate a commercial motor  
17 vehicle issued by any state in compliance with 49 USC 31301 to  
18 31317.

19 (12) As used in this section, "farm related service industry"  
20 means custom harvesters, farm retail outlets and suppliers, agri-  
21 chemical business, or livestock feeders.

22 Sec. 320e. (1) Except as otherwise provided in subsection (2)  
23 or (3), an individual whose operator's or chauffeur's license is  
24 suspended, revoked, or restricted under section 303, 319, 320, 324,  
25 625, 625b, 625f, ~~732a~~, or 904 shall pay a license reinstatement fee  
26 of \$125.00 to the secretary of state before a license is issued or  
27 returned to the individual. The increase in the reinstatement fee  
28 from \$60.00 to \$125.00 must be imposed for a license that is issued  
29 or returned on or after October 1, 1991 regardless of when the

1 license was suspended, revoked, or restricted. Of the increase in  
2 the reinstatement fee from \$60.00 to \$125.00, \$25.00 must be  
3 allocated to the department of state, \$10.00 must be deposited by  
4 the department of treasury in the drunk driving prevention  
5 equipment and training fund created under section 625h(1), and  
6 \$30.00 must be deposited by the department of treasury in the drunk  
7 driving caseflow assistance fund created under section 625h(5). The  
8 fee must be waived if the license was suspended or restricted  
9 because of the individual's mental or physical infirmity or  
10 disability.

11 (2) An individual whose operator's or chauffeur's license is  
12 suspended, revoked, or restricted under section 319(7) shall pay a  
13 license reinstatement fee of \$125.00 to the secretary of state  
14 before a license is issued or returned to the individual. The fee  
15 must be waived if the license was suspended or restricted because  
16 of the individual's mental or physical infirmity or disability.

17 (3) Except as provided in subsection (4), an individual whose  
18 operator's or chauffeur's license is suspended as provided in  
19 section 321c shall pay a license reinstatement fee of \$85.00 to the  
20 secretary of state before a license is issued or returned to the  
21 person. The fee ~~shall~~**must** be deposited in the state general fund  
22 and ~~shall~~**must** be used to defray the expenses of the secretary of  
23 state in processing the suspension and reinstatement of driver  
24 licenses under this section.

25 (4) Beginning ~~on the effective date of the 2020 amendatory act~~  
26 ~~that added this subsection,~~**October 1, 2021**, the secretary of state  
27 shall waive the reinstatement fee for an individual whose  
28 operator's or chauffeur's license was suspended, revoked, or  
29 restricted for reasons that are no longer eligible for the

1 suspension, revocation, or restriction of an operator's or  
2 chauffeur's license under this act. The secretary of state shall  
3 immediately reinstate an operator's or chauffeur's license that was  
4 suspended, revoked, or restricted for reasons that are no longer  
5 eligible under this act.

6 (5) The secretary of state shall assess points and take  
7 licensing action, including suspending, revoking, or denying a  
8 license under this act, according to the law in effect at the time  
9 of the conspiracy to commit the offense or at the time the offense  
10 was committed or attempted or the civil infraction occurred. If 1  
11 or more of the convictions involved in a licensing sanction is a  
12 violation or attempted violation of this act committed or attempted  
13 after January 1, 1992, the secretary of state shall apply the law  
14 in effect after January 1, 1992.

15 (6) Judicial review of an administrative licensing sanction  
16 under section 303 must be governed by the law in effect at the time  
17 the offense was committed or attempted. If 1 or more of the  
18 convictions involved in an administrative licensing sanction is a  
19 violation or attempted violation of this act committed or attempted  
20 after January 1, 1992, judicial review of that sanction must be  
21 governed by the law in effect after January 1, 1992.

22 ~~Sec. 732a. (1) Subject to subsection (10), an individual,~~  
23 ~~whether licensed or not, who accumulates 7 or more points on his or~~  
24 ~~her driving record under sections 320a and 629c within a 2-year~~  
25 ~~period for any violation not listed under subsection (2) shall be~~  
26 ~~assessed a \$100.00 driver responsibility fee. For each additional~~  
27 ~~point accumulated above 7 points not listed under subsection (2),~~  
28 ~~an additional fee of \$50.00 shall be assessed. The secretary of~~  
29 ~~state shall collect the fees described in this subsection once each~~

1 ~~year that the point total on an individual driving record is 7~~  
2 ~~points or more. This subsection is subject to subsection (11).~~

3 ~~(2) An individual, whether licensed or not, who violates any~~  
4 ~~of the following sections or another law or local ordinance that~~  
5 ~~substantially corresponds to those sections shall be assessed a~~  
6 ~~driver responsibility fee as follows:~~

7 ~~(a) Subject to subsections (10) and (11), upon posting an~~  
8 ~~abstract indicating that an individual has been found guilty for a~~  
9 ~~violation of law listed or described in this subdivision, the~~  
10 ~~secretary of state shall assess a \$1,000.00 driver responsibility~~  
11 ~~fee each year for 2 consecutive years:~~

12 ~~(i) Manslaughter, negligent homicide, or a felony resulting~~  
13 ~~from the operation of a motor vehicle, ORV, or snowmobile.~~

14 ~~(ii) Section 601b(2) or (3), 601c(1) or (2), 601d, 626(3) or~~  
15 ~~(4), or 653a(3) or (4).~~

16 ~~(iii) Section 625(1), (4), or (5), section 625m, or section~~  
17 ~~81134 of the natural resources and environmental protection act,~~  
18 ~~1994 PA 451, MCL 324.81134, or a law or ordinance substantially~~  
19 ~~corresponding to section 625(1), (4), or (5), section 625m, or~~  
20 ~~section 81134 of the natural resources and environmental protection~~  
21 ~~act, 1994 PA 451, MCL 324.81134.~~

22 ~~(iv) Failing to stop and disclose identity at the scene of an~~  
23 ~~accident when required by law.~~

24 ~~(v) Fleeing or eluding an officer.~~

25 ~~(b) Subject to subsections (10) and (11), upon posting an~~  
26 ~~abstract indicating that an individual has been found guilty for a~~  
27 ~~violation of law listed in this subdivision, the secretary of state~~  
28 ~~shall assess a \$500.00 driver responsibility fee each year for 2~~  
29 ~~consecutive years:~~

1 ~~(i) Section 625(3), (6), (7), or (8).~~

2 ~~(ii) Section 626(2).~~

3 ~~(iii) Section 904.~~

4 ~~(iv) Section 3101, 3102(1), or 3103 of the insurance code of~~  
5 ~~1956, 1956 PA 218, MCL 500.3101, 500.3102, and 500.3103.~~

6 ~~(c) Through September 30, 2012, upon posting an abstract~~  
7 ~~indicating that an individual has been found guilty for a violation~~  
8 ~~of section 301, the secretary of state shall assess a \$150.00~~  
9 ~~driver responsibility fee each year for 2 consecutive years.~~  
10 ~~However, a driver responsibility fee shall not be assessed under~~  
11 ~~this subdivision for a violation committed on or after October 1,~~  
12 ~~2012.~~

13 ~~(d) Through September 30, 2012, upon posting an abstract~~  
14 ~~indicating that an individual has been found guilty or determined~~  
15 ~~responsible for a violation listed in section 328, the secretary of~~  
16 ~~state shall assess a \$200.00 driver responsibility fee each year~~  
17 ~~for 2 consecutive years. However, a driver responsibility fee shall~~  
18 ~~not be assessed under this subdivision for a violation committed on~~  
19 ~~or after October 1, 2012.~~

20 ~~(3) The secretary of state shall send a notice of the driver~~  
21 ~~responsibility assessment, as prescribed under subsection (1) or~~  
22 ~~(2), to the individual by regular mail to the address on the~~  
23 ~~records of the secretary of state. If payment is not received~~  
24 ~~within 30 days after the notice is mailed, the secretary of state~~  
25 ~~shall send a second notice that indicates that if payment is not~~  
26 ~~received within the next 30 days, the driver's driving privileges~~  
27 ~~will be suspended.~~

28 ~~(4) The secretary of state may authorize payment by~~  
29 ~~installment for a period not to exceed 24 months or, alternatively,~~

~~1 the individual may engage in workforce training under section 732b.  
2 All of the following apply to an individual who, on or before  
3 February 1, 2018, has entered into an installment payment plan as  
4 provided in this subsection:~~

~~5 (a) Any outstanding driver responsibility fee assessed under  
6 this section or outstanding installment payment shall not be  
7 collected.~~

~~8 (b) An individual is not liable for any outstanding driver  
9 responsibility fee assessed under this section.~~

~~10 (c) An individual whose driving privileges were suspended  
11 under this section is eligible to reinstate his or her operator's  
12 license if he or she is otherwise in compliance with this act.~~

~~13 (5) Except as otherwise provided under this subsection and  
14 section 732b, if payment is not received or an installment plan is  
15 not established after the time limit required by the second notice  
16 prescribed under subsection (3) expires, the secretary of state  
17 shall suspend the driving privileges until the assessment and any  
18 other fees prescribed under this act are paid. However, if the  
19 individual's license to operate a motor vehicle is not otherwise  
20 required under this act to be denied, suspended, or revoked, the  
21 secretary of state shall reinstate the individual's operator's  
22 driving privileges if the individual requests an installment plan  
23 under subsection (4) and makes proper payment under that plan. Fees  
24 required to be paid for the reinstatement of an individual's  
25 operator's driving privileges as described under this subsection  
26 shall, at the individual's request, be included in the amount to be  
27 paid under the installment plan. If the individual establishes a  
28 payment plan as described in this subsection and subsection (4) but  
29 the individual fails to make full or timely payments under that~~

1 ~~plan, or enters into workforce training under section 732b but~~  
 2 ~~fails to successfully complete that service within the 45-day~~  
 3 ~~period allowed, or withdraws from workforce training with or~~  
 4 ~~without good cause shown, the secretary of state shall suspend the~~  
 5 ~~individual's driving privileges. The secretary of state shall only~~  
 6 ~~reinstate a license under this subsection once.~~

7 ~~(6) A driver responsibility fee shall be assessed under this~~  
 8 ~~section in the same manner for a conviction or determination of~~  
 9 ~~responsibility for a violation or an attempted violation of a law~~  
 10 ~~of this state, of a local ordinance substantially corresponding to~~  
 11 ~~a law of this state, or of a law of another state substantially~~  
 12 ~~corresponding to a law of this state.~~

13 ~~(7)~~ The fire protection fund is created within the state  
 14 treasury. The state treasurer may receive money or other assets  
 15 from any source for deposit into the fund. The state treasurer  
 16 shall direct the investment of the fund. The state treasurer shall  
 17 credit to the fund interest and earnings from fund investments.  
 18 Money in the fund at the close of the fiscal year ~~shall~~**must** remain  
 19 in the fund and ~~shall~~**must** not lapse to the general fund. The  
 20 department of licensing and regulatory affairs shall expend money  
 21 from the fund, upon appropriation, only for fire protection grants  
 22 to cities, villages, and townships with state-owned facilities for  
 23 fire services, as provided in 1977 PA 289, MCL 141.951 to 141.956.

24 **(2)** ~~(8)~~ The secretary of state shall transmit the fees  
 25 collected under this section to the state treasurer. The state  
 26 treasurer shall credit fee money received under this section in  
 27 each fiscal year as follows:

28 (a) The first \$8,500,000.00 ~~shall~~**must** be credited to the fire  
 29 protection fund created in subsection ~~(7)~~**(1)**.



1 (b) For fiscal year 2017 and for each fiscal year thereafter,  
 2 after the amount specified in subdivision (a) is credited to the  
 3 fire protection fund created under subsection ~~(7),~~ **(1)**, the next  
 4 \$1,000,000.00 ~~shall~~ **must** be credited to the department of state for  
 5 necessary expenses incurred by the department of state in  
 6 implementing and administering the requirements of sections 625k  
 7 and 625q. ~~, and, for fiscal year 2018 only, the next \$250,000.00~~  
 8 ~~shall be credited to the department of treasury to implement and~~  
 9 ~~administer the program created in section 732d.~~ Funds appropriated  
 10 under this subdivision ~~shall~~ **must** be based upon an established cost  
 11 allocation methodology that reflects the actual costs incurred or  
 12 to be incurred by the secretary of state during the fiscal year.  
 13 However, except as otherwise provided in this subdivision, funds  
 14 appropriated under this subdivision ~~shall~~ **must** not exceed  
 15 \$1,000,000.00 during any fiscal year. ~~Funds appropriated under this~~  
 16 ~~subdivision shall not exceed \$1,250,000.00 during fiscal year 2018.~~

17 (c) Any amount collected after crediting the amounts under  
 18 subdivisions (a) and (b) ~~shall~~ **must** be credited to the general  
 19 fund.

20 ~~(9) The collection of assessments under this section is~~  
 21 ~~subject to section 304.~~

22 ~~(10) Subject to subsections (4) and (11), a driver~~  
 23 ~~responsibility fee shall be assessed and collected under this~~  
 24 ~~section as follows:~~

25 ~~(a) For an individual who accumulates 7 or more points on his~~  
 26 ~~or her driving record beginning on the following dates, a fee~~  
 27 ~~assessed under subsection (1) shall be reduced as follows:~~

28 ~~(i) Beginning October 1, 2015, the assessment shall be 75% of~~  
 29 ~~the fee calculated under subsection (1).~~

1       ~~(ii) Beginning October 1, 2016, the assessment shall be 50% of~~  
 2 ~~the fee calculated under subsection (1).~~

3       ~~(iii) Beginning October 1, 2018, no fee shall be assessed under~~  
 4 ~~subsection (1).~~

5       ~~(b) A fee assessed under subsection (2) (a) or (b) shall be~~  
 6 ~~reduced as follows:~~

7       ~~(i) For a violation that occurs on or after October 1, 2015,~~  
 8 ~~100% of the fee shall be assessed for the first year and 50% for~~  
 9 ~~the second year.~~

10       ~~(ii) For a violation that occurs on or after October 1, 2016,~~  
 11 ~~100% of the fee shall be assessed for the first year and no fee~~  
 12 ~~shall be assessed for the second year.~~

13       ~~(iii) Beginning October 1, 2018, no fee shall be assessed under~~  
 14 ~~subsection (2) (a) or (b).~~

15       ~~(c) Beginning on the effective date of the amendatory act that~~  
 16 ~~added this subdivision, no fee shall be assessed under subsection~~  
 17 ~~(2) (b) (iii) or (iv).~~

18       ~~(11) Beginning September 30, 2018, all of the following apply:~~

19       ~~(a) Any outstanding driver responsibility fee assessed under~~  
 20 ~~this section shall not be collected.~~

21       ~~(b) An individual is not liable for any outstanding driver~~  
 22 ~~responsibility fee assessed under this section or responsible for~~  
 23 ~~completing workforce training under section 732b.~~

24       ~~(c) An individual whose driving privileges were suspended~~  
 25 ~~under this section or an individual whose driving privileges were~~  
 26 ~~suspended under section 904(10), if that suspension arose out of~~  
 27 ~~the unlawful operation of a motor vehicle or a moving violation~~  
 28 ~~reportable under section 732 while his or her driving privileges~~  
 29 ~~were suspended under this section, is eligible to reinstate his or~~

1 ~~her operator's license if he or she is otherwise in compliance with~~  
 2 ~~this act.~~

3 ~~(12) Beginning on the effective date of the amendatory act~~  
 4 ~~that added this subsection and ending December 31, 2018, an~~  
 5 ~~individual whose driving privileges were suspended under this~~  
 6 ~~section may reinstate his or her operator's license without payment~~  
 7 ~~of a fee to the secretary of state for the reinstatement. Beginning~~  
 8 ~~January 1, 2019, an individual whose driving privileges were~~  
 9 ~~suspended under this section may reinstate his or her operator's~~  
 10 ~~license upon payment of any fee required by the secretary of state~~  
 11 ~~for the reinstatement.~~

12 ~~(3) (13)~~—It is the intent of the legislature that beginning  
 13 with the fiscal year ending September 30, 2018, and each fiscal  
 14 year after that, \$8,500,000.00 ~~shall~~**must** be appropriated to the  
 15 fire protection fund created under subsection ~~(7)~~**(2)**.

16 Sec. 904. (1) ~~A person~~**An individual** whose operator's or  
 17 chauffeur's license or registration certificate has been suspended  
 18 or revoked, whose application for license has been denied, or who  
 19 has never applied for a license, shall not operate a motor vehicle  
 20 on a highway or other place open to the general public or generally  
 21 accessible to motor vehicles, including an area designated for the  
 22 parking of motor vehicles, within this state.

23 (2) A person shall not knowingly permit a motor vehicle owned  
 24 by the person to be operated on a highway or other place open to  
 25 the general public or generally accessible to motor vehicles,  
 26 including an area designated for the parking of vehicles, within  
 27 this state by ~~a person~~**an individual** whose license or registration  
 28 certificate is suspended or revoked, whose application for license  
 29 has been denied, or who has never applied for a license, except as

1 permitted under this act.

2 (3) Except as otherwise provided in this section, a person ~~who~~  
3 **that** violates subsection (1) or (2) is guilty of a misdemeanor  
4 punishable as follows:

5 (a) For a first violation, by imprisonment for not more than  
6 93 days or a fine of not more than \$500.00, or both. Unless the  
7 vehicle was stolen or used with the permission of a person who did  
8 not knowingly permit an unlicensed driver to operate the vehicle,  
9 the registration plates of the vehicle ~~shall~~**must** be canceled by  
10 the secretary of state on notification by a peace officer.

11 (b) For a violation that occurs after a prior conviction, by  
12 imprisonment for not more than 1 year or a fine of not more than  
13 \$1,000.00, or both. Unless the vehicle was stolen, the registration  
14 plates of the vehicle shall be canceled by the secretary of state  
15 on notification by a peace officer.

16 (4) ~~A person~~**An individual** who operates a motor vehicle in  
17 violation of subsection (1) or ~~a person~~**an individual** whose  
18 operator's or chauffeur's license or registration certificate has  
19 been suspended or revoked by another state who operates a motor  
20 vehicle during the period of suspension or revocation and who, by  
21 operation of that motor vehicle, causes the death of another ~~person~~  
22 **individual** is guilty of a felony punishable by imprisonment for not  
23 more than 15 years or a fine of not less than \$2,500.00 or more  
24 than \$10,000.00, or both. This subsection does not apply to a  
25 ~~person~~**an individual** whose operator's or chauffeur's license was  
26 suspended because that ~~person~~**individual** failed to answer a  
27 citation or comply with an order or judgment under section 321a.

28 (5) ~~A person~~**An individual** who operates a motor vehicle in  
29 violation of subsection (1) or ~~a person~~**an individual** whose

1 operator's or chauffeur's license or registration certificate has  
2 been suspended or revoked by another state who operates a motor  
3 vehicle during the period of suspension or revocation and who, by  
4 operation of that motor vehicle, causes the serious impairment of a  
5 body function of another ~~person~~**individual** is guilty of a felony  
6 punishable by imprisonment for not more than 5 years or a fine of  
7 not less than \$1,000.00 or more than \$5,000.00, or both. This  
8 subsection does not apply to ~~a person~~**an individual** whose  
9 operator's or chauffeur's license was suspended because that ~~person~~  
10 **individual** failed to answer a citation or comply with an order or  
11 judgment under section 321a.

12 (6) In addition to being subject to any other penalty provided  
13 for in this act, if ~~a person~~**an individual** is convicted under  
14 subsection (4) or (5), the court may impose the sanction permitted  
15 under section 625n. If the vehicle is not ordered forfeited under  
16 section 625n, the court shall order vehicle immobilization under  
17 section 904d in the judgment of sentence.

18 (7) A person shall not knowingly permit a motor vehicle owned  
19 by the person to be operated on a highway or other place open to  
20 the general public or generally accessible to motor vehicles,  
21 including an area designated for the parking of vehicles, within  
22 this state, by ~~a person~~**an individual** whose license or registration  
23 certificate is suspended or revoked, whose application for license  
24 has been denied, or who has never been licensed except as permitted  
25 by this act. If ~~a person~~**an individual** permitted to operate a motor  
26 vehicle in violation of this subsection causes the serious  
27 impairment of a body function of another ~~person~~**individual** by  
28 operation of that motor vehicle, the person **that** knowingly  
29 ~~permitting~~**permitted** the operation of that motor vehicle is guilty

1 of a felony punishable by imprisonment for not more than 2 years,  
 2 or a fine of not less than \$1,000.00 or more than \$5,000.00, or  
 3 both. If ~~a person~~**an individual** permitted to operate a motor  
 4 vehicle in violation of this subsection causes the death of another  
 5 ~~person~~**individual** by operation of that motor vehicle, the person  
 6 **that** knowingly ~~permitting~~**permitted** the operation of that motor  
 7 vehicle is guilty of a felony punishable by imprisonment for not  
 8 more than 5 years, or a fine of not less than \$1,000.00 or more  
 9 than \$5,000.00, or both.

10 (8) If the prosecuting attorney intends to seek an enhanced  
 11 sentence under this section ~~based on~~**because** the defendant ~~having~~  
 12 **has** 1 or more prior convictions, the prosecuting attorney shall  
 13 include on the complaint and information, or an amended complaint  
 14 and information, filed in district court, circuit court, municipal  
 15 court, or family division of circuit court, a statement ~~listing~~  
 16 **that lists** the defendant's prior convictions.

17 (9) A prior conviction under this section ~~shall~~**must** be  
 18 established at or before sentencing by 1 or more of the following:

- 19 (a) A copy of a judgment of conviction.
- 20 (b) An abstract of conviction.
- 21 (c) A transcript of a prior trial, plea, or sentencing.
- 22 (d) A copy of a court register of action.
- 23 (e) A copy of the defendant's driving record.
- 24 (f) Information contained in a presentence report.
- 25 (g) An admission by the defendant.

26 (10) ~~Subject to section 732a(11)(c), on~~**On** receiving a record  
 27 of ~~a person's~~**an individual's** conviction or civil infraction  
 28 determination for the unlawful operation of a motor vehicle or a  
 29 moving violation reportable under section 732 while the ~~person's~~

1 **individual's** operator's or chauffeur's license is suspended or  
2 revoked, the secretary of state immediately shall impose an  
3 additional like period of suspension or revocation. This subsection  
4 applies only if the violation occurs during a suspension of  
5 definite length or if the violation occurs before the ~~person~~  
6 **individual** is approved for a license following a revocation.

7 (11) On receiving a record of a ~~person's~~ **an individual's**  
8 conviction or civil infraction determination for the unlawful  
9 operation of a motor vehicle or a moving violation reportable under  
10 section 732 while the ~~person's~~ **individual's** operator's or  
11 chauffeur's license is indefinitely suspended or whose application  
12 for a license has been denied, the secretary of state immediately  
13 shall impose a 30-day period of suspension or denial.

14 (12) On receiving a record of the conviction, bond forfeiture,  
15 or a civil infraction determination of a ~~person~~ **an individual** for  
16 unlawful operation of a motor vehicle ~~requiring~~ **that requires** a  
17 vehicle group designation while the designation is suspended or  
18 revoked under section 319b, or while the ~~person~~ **individual** is  
19 disqualified from operating a commercial motor vehicle by the  
20 United States Secretary of Transportation or under 49 USC 31301 to  
21 31317, the secretary of state immediately shall impose an  
22 additional like period of suspension or revocation. This subsection  
23 applies only if the violation occurs during a suspension of  
24 definite length or if the violation occurs before the ~~person~~  
25 **individual** is approved for a license following a revocation.

26 (13) If the secretary of state receives records of more than 1  
27 conviction or civil infraction determination ~~resulting~~ **that results**  
28 from the same incident, all of the convictions or civil infraction  
29 determinations ~~shall~~ **must** be treated as a single violation for

1 purposes of imposing an additional period of suspension or  
2 revocation under subsection (10), (11), or (12).

3 (14) Before ~~a person~~**an individual** is arraigned before a  
4 district court magistrate or judge on a charge of violating this  
5 section, the arresting officer shall obtain the ~~person's~~  
6 **individual's** driving record from the secretary of state and shall  
7 furnish the record to the court. The driving record of the ~~person~~  
8 **individual** may be obtained from the secretary of state's computer  
9 information network.

10 (15) This section does not apply to ~~a person~~**an individual** who  
11 operates a vehicle solely for the purpose of protecting human life  
12 or property if the life or property is endangered and summoning  
13 prompt aid is essential.

14 (16) ~~A person~~**An individual** whose vehicle group designation is  
15 suspended or revoked and who has been notified as provided in  
16 section 212 of that suspension or revocation, or whose application  
17 for a vehicle group designation has been denied as provided in this  
18 act, or who has never applied for a vehicle group designation and  
19 who operates a commercial motor vehicle within this state, except  
20 as permitted under this act, while any of those conditions exist is  
21 guilty of a misdemeanor punishable, except as otherwise provided in  
22 this section, by imprisonment for not more than 93 days or a fine  
23 of not more than \$100.00, or both.

24 (17) If ~~a person~~**an individual** has a second or subsequent  
25 suspension or revocation under this section within 7 years as  
26 indicated on the ~~person's~~**individual's** Michigan driving record, the  
27 court shall proceed as provided in section 904d.

28 (18) Any period of suspension or revocation required under  
29 subsection (10), (11), or (12) does not apply to ~~a person~~**an**



1 **individual** who has only 1 currently effective suspension or denial  
2 on ~~his or her~~ **the individual's** Michigan driving record under  
3 section 321a and was convicted of or received a civil infraction  
4 determination for a violation that occurred during that suspension  
5 or denial. This subsection may only be applied once during the  
6 ~~person's~~ **individual's** lifetime.

7 (19) For purposes of this section, ~~a person~~ **an individual** who  
8 never applied for a license includes ~~a person~~ **an individual** who  
9 applied for a license, was denied, and never applied again.

10 Enacting section 1. Sections 732b and 732d of the Michigan  
11 vehicle code, 1949 PA 300, MCL 257.732b and 257.732d, are repealed.

12 Enacting section 2. This amendatory act takes effect 90 days  
13 after the date it is enacted into law.