

**ENHANCED DRIVER LICENSE AND ENHANCED OFFICIAL STATE PERSONAL
IDENTIFICATION CARD ACT (EXCERPT)**
Act 23 of 2008

***** 28.304.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF
THE 2024 REGULAR SESSION SINE DIE *****

28.304.amended Enhanced driver license or enhanced official state personal identification card; issuance; security measures; radio frequency identification technology; requirements in addition to requirements for standard driver license or official state personal identification card; licensing sanction; issuance of corrected license or card for address confidentiality program participants; definitions.

Sec. 4. (1) The secretary of state may issue an enhanced driver license or enhanced official state personal identification card to an applicant who provides satisfactory proof of the applicant's full legal name, United States citizenship, identity, date of birth, Social Security number, residence address, and a photographic identity document. Beginning June 27, 2021, if the applicant is a program participant in the address confidentiality program under the address confidentiality program act, 2020 PA 301, MCL 780.851 to 780.873, the applicant shall present to the secretary of state the applicant's participation card issued under the address confidentiality program act, 2020 PA 301, MCL 780.851 to 780.873. An applicant may choose to apply for a standard driver license or standard official state personal identification card or an enhanced driver license or enhanced official state personal identification card.

(2) An enhanced driver license or enhanced official state personal identification card must include reasonable security measures to protect against unauthorized disclosure of personal information regarding residents of this state that is contained in the enhanced driver license or enhanced official state personal identification card.

(3) An enhanced driver license or enhanced official state personal identification card may include radio frequency identification technology that is limited to a randomly assigned number that must be encrypted if agreed to by the United States Department of Homeland Security, and does not include biometric data. The secretary of state shall ensure that the radio frequency identification technology is secure from unauthorized data access and includes reasonable security measures to protect against unauthorized disclosure of personal information. An applicant must sign a declaration acknowledging the applicant's understanding of the radio frequency identification technology before the applicant is issued an enhanced driver license or enhanced official state personal identification card.

(4) An enhanced driver license or enhanced official state personal identification card that expires on or after March 1, 2020 is considered valid until March 31, 2021. An enhanced driver license or enhanced official state personal identification card that expires after March 31, 2021 but before August 1, 2021 is valid until 120 days after the date of the expiration.

(5) The requirements of this act are in addition to the requirements otherwise imposed on individuals who apply for a standard driver license or standard official state personal identification card.

(6) The holder of an enhanced driver license issued under this act is subject to every licensing sanction provided under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. As used in this subsection, "licensing sanction" means the restriction, suspension, revocation, or denial of a driver license; the addition of points to a driving record; the assessment of a civil fine or criminal penalty resulting from a conviction; a civil infraction determination; the imposition of probationary terms and conditions; or any other penalty provided under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

(7) Beginning June 27, 2021, upon receipt of a notice from the department of the attorney general that an individual who has been issued an enhanced driver license or enhanced official state personal identification card under this act has been certified as a program participant in the address confidentiality program, the secretary of state shall issue a corrected enhanced driver license or enhanced official state personal identification card to that individual by mailing the license or card to the individual's designated address. Beginning June 27, 2021, an enhanced driver license or enhanced official state personal identification card issued under this subsection or subsection (1) to a program participant must display the individual's designated address and must not display the individual's residence address. The requirements of this subsection are in addition to the requirements for individuals who are issued a corrected standard driver license under section 310f of the Michigan vehicle code, 1949 PA 300, MCL 257.310f, or a corrected official state personal identification card under section 2a of 1972 PA 222, MCL 28.292a.

(8) As used in this section:

(a) "Address confidentiality program" means a program as that term is defined in section 3 of the address

confidentiality program act, 2020 PA 301, MCL 780.853.

(b) "Designated address" means that term as defined in section 3 of the address confidentiality program act, 2020 PA 301, MCL 780.853.

(c) "Program participant" means that term as defined in section 3 of the address confidentiality program act, 2020 PA 301, MCL 780.853.

History: 2008, Act 23, Imd. Eff. Mar. 13, 2008;—Am. 2018, Act 47, Imd. Eff. Mar. 1, 2018;—Am. 2020, Act 129, Imd. Eff. July 1, 2020;—Am. 2020, Act 243, Imd. Eff. Oct. 28, 2020;—Am. 2020, Act 305, Imd. Eff. Dec. 29, 2020;—Am. 2021, Act 72, Imd. Eff. July 29, 2021;—Am. 2024, Act 114, Eff. (sine die).

Compiler's note: Former MCL 28.301 to 28.317, deriving from Act 114 of 1939 and pertaining to kerosene inspection, were repealed by Act 47 of 1952.

Enacting section 1 of Act 72 of 2021 provides:

"Enacting section 1. Sections 4(4) and 6(2) and (8) of the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.304 and 28.306, as amended by this amendatory act, are intended to be retroactive and apply retroactively."