

**SUBSTITUTE FOR
HOUSE BILL NO. 5834**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 302 (MCL 257.302), as amended by 2008 PA 7.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 302. The following persons are exempt from obtaining a
2 license under this chapter:

3 (a) A person serving in the ~~armed forces~~ **ARMED FORCES** of the
4 United States if furnished with a driver's permit and operating an
5 official motor vehicle in that service or a person who is a
6 military driver and operates a commercial motor vehicle for a
7 military purpose. This exemption applies to active duty military
8 personnel, members of the military reserves, active duty United
9 States ~~coast guard~~ **COAST GUARD** personnel, and members of the
10 national guard while on active duty, including, but not limited to,

1 personnel on full-time national guard duty, personnel on part-time
2 national guard training, and national guard military technicians
3 who are civilians required to wear military uniforms. This
4 exemption does not apply to any of the following:

5 (i) United States reserve technicians.

6 (ii) Except as otherwise provided in this subdivision, a
7 person who is a civilian and in the employ of the ~~armed forces~~
8 **ARMED FORCES** of the United States.

9 (b) A person while driving or operating a road roller, a snow
10 motor, road machinery, or a farm tractor or implement of husbandry
11 temporarily drawn, moved, or propelled on a highway, if the person
12 is a citizen of the United States or is otherwise eligible to be
13 issued an operator's license or chauffeur's license under section
14 307(1).

15 (c) A nonresident who is not less than 16 years of age and who
16 has been licensed either as an operator or a chauffeur under a law
17 requiring the licensing of operators or chauffeurs in his or her
18 home state and who has in his or her immediate possession either a
19 valid operator's or a valid chauffeur's license issued to him or
20 her in his or her home state.

21 (d) A nonresident who is over the age of 17 years, whose home
22 state does not require the licensing of operators, may operate a
23 motor vehicle as an operator only, for a period of not more than 90
24 days in any calendar year, if all of the following apply:

25 (i) The motor vehicle is registered in the home state or
26 country of the nonresident.

27 (ii) The nonresident has in his or her immediate possession a

1 registration card evidencing ownership and registration of the
2 motor vehicle in his or her home state or country, or is able at
3 any time or place required to prove lawful possession or the right
4 to operate the motor vehicle and to establish his or her proper
5 identity.

6 (iii) The nonresident is a citizen of the United States or is
7 otherwise eligible to be issued an operator's license or
8 chauffeur's license under section 307(1).

9 (e) A person who is a member of the ~~armed forces~~ **ARMED FORCES**
10 of the United States on official leave, who on the date of his or
11 her orders granting leave possessed an operator's or chauffeur's
12 license, valid except for the expiration date of the license. This
13 exemption applies only to the person's first leave of absence
14 following the expiration of his or her license and exempts the
15 person from the provisions of this act for a period not to exceed
16 30 days.

17 (f) A person who is a discharged member of the ~~armed forces~~
18 **ARMED FORCES** of the United States, who on the date of his or her
19 discharge possesses an operator's or chauffeur's license, valid
20 except for the expiration date, for a period not to exceed 30 days
21 from date of discharge.

22 (g) A person who is a member of the ~~armed forces~~ **ARMED FORCES**
23 of the United States, stationed in this state, who resides in
24 another state and has a valid license issued by the state in which
25 he or she resides.

26 (h) A person while operating a commercial motor vehicle in the
27 course of a driving test administered by a certified examiner

1 appointed by the secretary of state and while accompanied by the
2 examiner, if the person is a citizen of the United States or is
3 otherwise eligible to be issued an operator's license or
4 chauffeur's license under section 307(1).

5 (i) A person while operating a commercial motor vehicle who is
6 not disqualified from operating a commercial motor vehicle and who
7 holds a commercial driver license that is issued to him or her by
8 another state or jurisdiction under 49 CFR part 383.

9 **(J) A PERSON WITH A MOBILITY DISABILITY WHILE OPERATING A**
10 **POWER-DRIVEN MOBILITY DEVICE. THIS SUBDIVISION DOES NOT APPLY TO A**
11 **PERSON WITH A MOBILITY DISABILITY WHILE OPERATING A POWER-DRIVEN**
12 **MOBILITY DEVICE ON A STREET, ROAD, OR HIGHWAY IN THIS STATE.**

13 Enacting section 1. This amendatory act takes effect 90 days
14 after the date it is enacted into law.

15 Enacting section 2. This amendatory act does not take effect
16 unless House Bill No. 5374 of the 99th Legislature is enacted into
17 law.