

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 6192**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 216, 226, 255, 301, 306, 306a, 309, 312f,
312k, 314, and 801k (MCL 257.216, 257.226, 257.255, 257.301,
257.306, 257.306a, 257.309, 257.312f, 257.312k, 257.314, and
257.801k), sections 216, 226, 255, 301, 306, 306a, 309, 312f, and
314 as amended by 2020 PA 127, sections 312k and 801k as added by
2020 PA 127.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 216. (1) Every motor vehicle, recreational vehicle,
2 trailer, semitrailer, and pole trailer, when driven or moved on a
3 street or highway, is subject to the registration and certificate
4 of title provisions of this act except the following:



1 (a) A vehicle driven or moved on a street or highway in
2 conformance with the provisions of this act relating to
3 manufacturers, transporters, dealers, or nonresidents.

4 (b) A vehicle that is driven or moved on a street or highway
5 only for the purpose of crossing that street or highway from 1
6 property to another.

7 (c) An implement of husbandry.

8 (d) Special mobile equipment. The secretary of state may issue
9 a special registration to an individual, partnership, corporation,
10 or association not licensed as a dealer that pays the required fee,
11 to identify special mobile equipment that is driven or moved on a
12 street or highway.

13 (e) A vehicle that is propelled exclusively by electric power
14 obtained from overhead trolley wires though not operated on rails.

15 (f) Any vehicle subject to registration, but owned by the
16 government of the United States.

17 (g) A certificate of title is not required for a trailer,
18 semitrailer, or pole trailer that weighs less than 2,500 pounds.

19 (h) A vehicle driven or moved on a street or highway, by the
20 most direct route, only for the purpose of securing a scale weight
21 receipt from a weighmaster for purposes of section 801 or obtaining
22 a vehicle inspection by a law enforcement agency before titling or
23 registration of that vehicle.

24 (i) A certificate of title is not required for a vehicle owned
25 by a manufacturer or dealer and held for sale or lease, even though
26 incidentally moved on a street or highway or used for purposes of
27 testing or demonstration.

28 (j) A bus or a school bus that is not self-propelled and is
29 used exclusively as a construction shanty.



1 (k) A certificate of title is not required for a moped.

2 (l) ~~For~~ **Except as otherwise provided in subsection (3), for 3**
 3 days immediately following the date of a properly assigned title or
 4 signed lease agreement from any person other than a dealer, a
 5 registration is not required for a vehicle driven or moved on a
 6 street or highway for the sole purpose of transporting the vehicle
 7 by the most direct route from the place of purchase or lease to a
 8 place of storage if the driver has in his or her possession the
 9 assigned title showing the date of sale or a lease agreement
 10 showing the date of the lease.

11 (m) A certificate of registration is not required for a pickup
 12 camper, but a certificate of title is required.

13 (n) A new motor vehicle driven or moved on a street or highway
 14 only for the purpose of moving the vehicle from an accident site to
 15 a storage location if the vehicle was being transported on a
 16 railroad car or semitrailer that was involved in a disabling
 17 accident.

18 (o) A boat lift used for transporting vessels between a marina
 19 or a body of water and a place of inland storage.

20 (2) Except as otherwise provided in this subsection, a
 21 registration issued to a motor vehicle, recreational vehicle,
 22 trailer, semitrailer, or pole trailer, when driven or moved on a
 23 street or highway, that expires on or after March 1, 2020 is valid
 24 until ~~September 30,~~ **December 31,** 2020. If the registration issued
 25 to a motor vehicle, recreational vehicle, trailer, semitrailer, or
 26 pole trailer, when driven or moved on a street or highway, that is
 27 used for commercial purposes expires on or after March 1, 2020, the
 28 registration is valid until ~~September 30,~~ **December 31,** 2020.

29 **(3) Notwithstanding any provision of law to the contrary,**



1 until December 31, 2020, a properly assigned title or signed lease
2 agreement from any person other than a dealer is considered proof
3 of registration of the vehicle.

4 Sec. 226. (1) Except as otherwise provided in subsection (13),
5 a vehicle registration issued by the secretary of state expires on
6 the owner's birthday, unless another expiration date is provided
7 for under this act or unless the registration is for the following
8 vehicles, in which case registration expires on the last day of
9 February:

10 (a) A commercial vehicle except for a commercial vehicle
11 issued a registration under the international registration plan or
12 a pickup truck or van owned by an individual.

13 (b) Except for a trailer or semitrailer issued a registration
14 under the international registration plan, a trailer or semitrailer
15 owned by a business, corporation, or person other than an
16 individual; or a pole trailer.

17 (2) Except as otherwise provided in subsection (13), the
18 expiration date for a registration issued for a motorcycle is the
19 motorcycle owner's birthday.

20 (3) The expiration date for a registration bearing the letters
21 "SEN" or "REP" is February 1.

22 (4) In the case of a vehicle owned by a business, corporation,
23 or an owner other than an individual, the secretary of state may
24 assign or reassign the expiration date of the registration.

25 (5) The secretary of state shall do all of the following:

26 (a) After the October 1 immediately preceding the year
27 designated on the registration, issue a registration upon
28 application and payment of the proper fee for a commercial vehicle,
29 other than a pickup or van owned by an individual; or a trailer



1 owned by a business, corporation, or person other than an
2 individual.

3 (b) Beginning 60 days before the expiration date assigned on
4 an international registration plan registration plate, issue a
5 registration under section 801g upon application and payment of the
6 proper apportioned fee for a commercial vehicle engaged in
7 interstate commerce.

8 (c) Beginning 45 days before the owner's birthday and 120 days
9 before the expiration date assigned by the secretary of state,
10 issue a registration for a vehicle other than those designated in
11 subsection (1)(a) or (b). However, if an owner whose registration
12 period begins 45 days before his or her birthday will be out of the
13 state during the 45 days immediately preceding expiration of a
14 registration or for other good cause shown cannot apply for a
15 renewal registration within the 45-day period, application for a
16 renewal registration may be made not more than 6 months before
17 expiration.

18 (6) Except as otherwise provided in this subsection, the
19 secretary of state, upon application and payment of the proper fee,
20 shall issue a registration for a vehicle or a motorcycle to a
21 resident that expires on the owner's birthday. If the owner's next
22 birthday is at least 6 months but not more than 12 months in the
23 future, the owner shall receive a registration valid until the
24 owner's next birthday. If the owner's next birthday is less than 6
25 months in the future, the owner shall receive a registration valid
26 until the owner's birthday following the owner's next birthday. The
27 tax required under this act for a registration described in this
28 subsection is either of the following:

29 (a) For an original registration, the tax must bear the same



1 relationship to the tax required under section 801 for a 12-month
2 registration as the length of the registration bears to 12 months.

3 (b) For a renewal of a registration, either of the following:

4 (i) For a registration that is for at least 6 months but not
5 more than 12 months, the same amount as for 12 months.

6 (ii) For a renewal of a registration that is for more than 12
7 months, 2 times the amount for 12 months.

8 Partial months must be considered as whole months in the
9 calculation of the required tax and in the determination of the
10 length of time between the application for a registration and the
11 owner's next birthday. The tax required for that registration must
12 be rounded off to whole dollars as provided in section 801.

13 (7) A certificate of title remains valid until canceled by the
14 secretary of state for cause or upon a transfer of an interest
15 shown on the certificate of title.

16 (8) The secretary of state, upon request, shall issue special
17 registration for commercial vehicles, valid for 6 months after the
18 date of issue, if the full registration fee exceeds \$50.00, on the
19 payment of 1/2 the full registration fee and a service charge as
20 enumerated in section 802(1).

21 (9) The secretary of state may issue a special registration
22 for each of the following:

23 (a) A new vehicle purchased or leased outside of this state
24 and delivered in this state to the purchaser or lessee by the
25 manufacturer of that vehicle for removal to a place outside of this
26 state, if a certification is made that the vehicle will be
27 primarily used, stored, and registered outside of this state and
28 will not be returned to this state by the purchaser or lessee for
29 use or storage.



1 (b) A vehicle purchased or leased in this state and delivered
2 to the purchaser or lessee by a dealer or by the owner of the
3 vehicle for removal to a place outside of this state, if a
4 certification is made that the vehicle will be primarily used,
5 stored, and registered outside of this state and will not be
6 returned to this state by the purchaser or lessee for use or
7 storage.

8 (10) A special registration issued under subsection (9) is
9 valid for not more than 30 days after the date of issuance, and a
10 fee must be collected for each special registration as provided in
11 section 802(3). The special registration may be in the form
12 determined by the secretary of state. If a dealer makes a retail
13 sale or lease of a vehicle to a purchaser or lessee who is
14 qualified and eligible to obtain a special registration, the dealer
15 shall apply for the special registration for the purchaser or
16 lessee. If a person other than a dealer sells or leases a vehicle
17 to a purchaser or lessee who is qualified and eligible to obtain a
18 special registration, the purchaser or lessee shall appear in
19 person, or by a person exercising the purchaser's or lessee's power
20 of attorney, at an office of the secretary of state and furnish a
21 certification that the person is the bona fide purchaser or lessee
22 or that the person has granted the power of attorney, together with
23 other forms required for the issuance of the special registration
24 and provide the secretary of state with proof that the vehicle is
25 covered by an automobile insurance policy issued under section 3101
26 of the insurance code of 1956, 1956 PA 218, MCL 500.3101, or proof
27 that the vehicle is covered by a policy of insurance issued by an
28 insurer under section 3163 of the insurance code of 1956, 1956 PA
29 218, MCL 500.3163. The certification required in this subsection



1 must contain all of the following:

2 (a) The address of the purchaser or lessee.

3 (b) A statement that the vehicle is purchased or leased for
4 registration outside of this state.

5 (c) A statement that the vehicle must be primarily used,
6 stored, and registered outside of this state.

7 (d) The name of the jurisdiction in which the vehicle is to be
8 registered.

9 (e) Other information requested by the secretary of state.

10 (11) In the case of a commercial vehicle, trailer, or
11 semitrailer issued a registration under the international
12 registration plan, the secretary of state in mutual agreement with
13 the owner may assign or reassign the expiration date of the
14 registration. However, the expiration date agreed to must be either
15 March 31, June 30, September 30, or December 31 or beginning on
16 February 19, 2019, the last day of a calendar month. Renewals
17 expiring on or after June 30, 2020 must be for a minimum of at
18 least 12 months if there is a change in the established expiration
19 date. Notwithstanding the provisions of this subsection, a
20 commercial vehicle, trailer, or semitrailer registration issued
21 under this subsection that expires on or after March 1, 2020 is
22 valid until ~~September 30,~~ **December 31,** 2020.

23 (12) The expiration date for a multiyear registration issued
24 for a leased vehicle must be the date the lease expires but ~~shall~~
25 **must** not be for a period longer than 24 months.

26 (13) A vehicle registration described in subsection (1) or a
27 motorcycle registration described in subsection (2) that expires on
28 or after March 1, 2020 is valid until ~~September 30,~~ **December 31,**
29 2020.



1 Sec. 255. (1) Except as otherwise provided in this chapter, a
2 person shall not operate, nor shall an owner knowingly permit to be
3 operated, upon any highway, a vehicle required to be registered
4 under this act unless, except as otherwise provided in this
5 subsection, no later than 30 days after the vehicle is registered
6 or the vehicle's registration is renewed, a valid registration
7 plate issued for the vehicle by the department for the current
8 registration year is attached to and displayed on the vehicle as
9 required by this chapter. For purposes of this subsection, a
10 printed or electronic copy of a valid registration or verification
11 of a valid registration through the L.E.I.N. is proof that the
12 vehicle is registered or that the vehicle's registration has been
13 renewed. A registration plate is not required for a wrecked or
14 disabled vehicle, or vehicle destined for repair or junking, that
15 is being transported or drawn on a highway by a wrecker or a
16 registered motor vehicle. The 30-day period described in this
17 subsection does not apply to the first registration of a vehicle
18 after a transfer of ownership or to a transfer registration under
19 section 809.

20 (2) Except as otherwise provided in this section, a person who
21 violates subsection (1) is responsible for a civil infraction.
22 However, if the vehicle is a commercial vehicle which is required
23 to be registered according to the schedule of elected gross vehicle
24 weights under section 801(1)(k), the person is guilty of a
25 misdemeanor punishable by imprisonment for not more than 90 days or
26 a fine of not more than \$500.00, or both.

27 (3) A person who operates a vehicle licensed under the
28 international registration plan and does not have a valid
29 registration due to nonpayment of the apportioned fee is guilty of



1 a misdemeanor, punishable by imprisonment for not more than 90
2 days, or by a fine of not more than \$100.00, or both. In addition,
3 a police officer may impound the vehicle until a valid registration
4 is obtained. If the vehicle is impounded, the towing and storage
5 costs of the vehicle, and the care or preservation of the load in
6 the vehicle are the owner's responsibility. Vehicles impounded are
7 subject to a lien in the amount of the apportioned fee and any fine
8 and costs incurred under this subsection, subject to a valid lien
9 of prior record. If the apportioned fee, fine, and costs are not
10 paid within 90 days after impoundment, then following a hearing
11 before the judge or magistrate who imposed the fine and costs, the
12 judge or magistrate shall certify the unpaid judgment to the
13 prosecuting attorney of the county in which the violation occurred.
14 The prosecuting attorney shall enforce the lien by foreclosure sale
15 in accordance with the procedure authorized by law for chattel
16 mortgage foreclosures.

17 (4) A noncommercial vehicle registration described in
18 subsection (1) that expires on or after March 1, 2020 but is
19 renewed on or before ~~September 30,~~ **December 31**, 2020 is not in
20 violation of this section. A commercial vehicle registration
21 described in subsection (1) that expires on or after March 1, 2020
22 but is renewed on or before ~~September 30,~~ **December 31**, 2020 is not
23 in violation of this section.

24 Sec. 301. (1) Except as provided in this act, an individual
25 shall not drive a motor vehicle on a highway in this state unless
26 that individual has a valid operator's or chauffeur's license with
27 the appropriate group designation and indorsements for the type or
28 class of vehicle being driven or towed. A resident of this state
29 holding a commercial driver license group indorsement issued by



1 another state shall apply for a license transfer within 30 days
2 after establishing domicile in this state.

3 (2) An individual shall not receive a license to operate a
4 motor vehicle until that individual surrenders to the secretary of
5 state all valid licenses to operate a motor vehicle issued to that
6 individual by this or any state or certifies that he or she does
7 not possess a valid license. The secretary of state shall notify
8 the issuing state that the licensee is now licensed in this state.

9 (3) An individual shall not have more than 1 valid driver
10 license.

11 (4) An individual shall not drive a motor vehicle as a
12 chauffeur unless that individual holds a valid chauffeur's license.
13 An individual shall not receive a chauffeur's license until that
14 individual surrenders to the secretary of state a valid operator's
15 or chauffeur's license issued to that individual by this or any
16 state or certifies that he or she does not possess a valid license.

17 (5) An individual holding a valid chauffeur's license need not
18 procure an operator's license.

19 (6) An operator's or chauffeur's license that expires on or
20 after March 1, 2020 is valid until ~~September 30,~~ **December 31,** 2020.

21 Sec. 306. (1) The secretary of state, ~~upon~~**on** receiving an
22 application for a temporary instruction permit from ~~a person~~**an**
23 **individual** who is 18 years of age or older, may issue that permit
24 ~~entitling that~~ **entitles** the applicant, while carrying the permit,
25 to drive a motor vehicle other than a motor vehicle requiring an
26 indorsement under section 312a or a vehicle group designation under
27 section 312e on the highways for a period of 180 days when
28 accompanied by a licensed adult operator or chauffeur who is
29 actually occupying a seat beside the driver. A temporary



1 instruction permit issued under this subsection that expires on or
2 after March 1, 2020 is valid until ~~September 30,~~ **December 31,** 2020.

3 (2) The secretary of state may issue an original operator's
4 license and designate level 1, 2, or 3 graduated licensing
5 provisions to ~~a person~~ **an individual** who is less than 18 years of
6 age, has been licensed in another state or country, and has
7 satisfied the applicable requirements of section 310e. An original
8 operator's license with a designated level 1, 2, or 3 graduated
9 licensing provision issued under this subsection that expires on or
10 ~~before~~ **after** March 1, 2020 is valid until ~~September 30,~~ **December**
11 **31,** 2020.

12 (3) A student enrolled in a driver education course as **that**
13 **term is** defined in section 3 of the driver education provider and
14 instructor act, 2006 PA 384, MCL 256.623, or a motorcycle safety
15 course approved by the department of state may operate a motor
16 vehicle that does not require a group designation under section
17 312e without holding an operator's license or permit while under
18 the direct supervision of the program instructor.

19 (4) A student enrolled in a driver education course as **that**
20 **term is** defined in section 3 of the driver education provider and
21 instructor act, 2006 PA 384, MCL 256.623, and who has successfully
22 completed 10 hours of classroom instruction and the equivalent of 2
23 hours of behind-the-wheel training may be issued a temporary driver
24 education certificate furnished by the department of state that
25 authorizes a student to drive a motor vehicle, other than a motor
26 vehicle ~~requiring~~ **that requires** an indorsement under section 312a
27 or a vehicle group designation under section 312e, when accompanied
28 by a licensed parent or guardian, or when accompanied by a
29 nonlicensed parent or guardian and a licensed adult for the purpose



1 of receiving additional instruction until the end of the student's
 2 driver education course. A temporary driver education certificate
 3 issued under this subsection that expires on or after March 1, 2020
 4 is valid until ~~September 30,~~ **December 31**, 2020.

5 (5) Beginning January 1, 2015, the secretary of state, ~~upon-on~~
 6 receiving proper application from ~~a person~~ **an individual** 16 or 17
 7 years of age who is enrolled in or has successfully completed an
 8 approved motorcycle safety course under section 811a, or ~~a person~~
 9 **an individual** who is 18 years of age or older and who holds a valid
 10 operator's or chauffeur's license, may issue a motorcycle temporary
 11 instruction permit ~~entitling-that~~ **entitles** the applicant, while
 12 carrying the permit, to operate a motorcycle ~~upon-on~~ the public
 13 streets and highways for a period of 180 days under the following
 14 conditions:

15 (a) The applicant shall operate the motorcycle under the
 16 constant visual supervision of a licensed motorcycle operator who
 17 is at least 18 years of age.

18 (b) The applicant shall not operate the motorcycle at night.

19 (c) The applicant shall not operate the motorcycle with a
 20 passenger.

21 (d) The applicant shall not be eligible for more than 2
 22 motorcycle temporary instruction permits in a 10-year period.

23 (6) A motorcycle temporary instruction permit issued under
 24 subsection (5) that expires on or after March 1, 2020 is valid
 25 until ~~September 30,~~ **December 31**, 2020.

26 Sec. 306a. (1) The secretary of state may issue a commercial
 27 learner's permit ~~entitling-a person~~ **that entitles an individual** to
 28 drive a vehicle requiring a vehicle group designation or
 29 indorsement under section 312e if all of the following apply:



1 (a) The ~~person~~**individual** submits a proper application and
2 meets the requirements of 49 CFR part 383.

3 (b) The ~~person~~**individual** is 18 years of age or older.

4 (c) The ~~person~~**individual** holds a valid operator's or
5 chauffeur's license that is not a restricted license.

6 (d) The ~~person~~**individual** passes the knowledge tests for an
7 original vehicle group designation or indorsement, as required by
8 49 CFR part 383.

9 (e) If the ~~person~~**individual** is applying for a hazardous
10 materials indorsement, he or she has been approved for the
11 hazardous materials indorsement by the federal transportation
12 security administration.

13 (2) ~~A person~~**An individual** issued a commercial learner's
14 permit under subsection (1), or an equivalent commercial learner's
15 permit issued by another jurisdiction, may operate a vehicle
16 requiring a vehicle group designation or indorsement under section
17 312e, if all of the following apply:

18 (a) The ~~person~~**individual** has the permit and a valid
19 operator's or chauffeur's license in his or her possession while
20 operating the vehicle.

21 (b) The ~~person~~**individual** is accompanied by an instructor
22 certified under the driver education provider and instructor act,
23 2006 PA 384, MCL 256.621 to 256.705, or an adult with a valid
24 operator's or chauffeur's license, and all of the following apply:

25 (i) The instructor or licensed adult has in his or her
26 possession a valid license with a vehicle group designation and any
27 indorsement necessary to operate the vehicle as provided in section
28 312e.

29 (ii) The instructor or licensed adult is at all times



1 physically present in the front seat of the vehicle next to the
2 operator or, in the case of a passenger vehicle, directly behind
3 the operator or in the first row behind the operator.

4 (iii) The instructor or licensed adult has the operator under
5 observation and direct supervision.

6 (c) The ~~person~~**individual** shall not operate a vehicle
7 transporting hazardous materials as defined in 49 CFR part 383.

8 (d) If the ~~person~~**individual** has a permit to operate a tank
9 vehicle, the ~~person~~**individual** may only operate an empty tank
10 vehicle and shall not operate any tank vehicle that previously
11 contained hazardous materials unless the tank has been purged of
12 all hazardous material residue.

13 (e) If the ~~person~~**individual** has a permit to operate a vehicle
14 designed to carry 16 or more passengers or a school bus, the ~~person~~
15 **individual** shall not operate a vehicle designed to carry 16 or more
16 passengers or a school bus with any passengers other than the
17 following individuals:

18 (i) The instructor or licensed adult described in this section.

19 (ii) Federal or state auditors or inspectors.

20 (iii) Test examiners.

21 (iv) Other trainees.

22 (3) A commercial learner's permit issued under this section is
23 valid for 180 days from the date of issuance. ~~A person~~**An**
24 **individual** may apply 1 time to renew the permit for an additional
25 180 days without taking the knowledge tests described in subsection
26 (1) if the ~~person~~**individual** applies for the renewal before the
27 expiration of the original permit.

28 (4) Notwithstanding subsection (3), a commercial learner's
29 permit issued under this section that expires on or after March 1,



1 2020 is valid until ~~September 30,~~ **December 31,** 2020.

2 Sec. 309. (1) Before issuing a license, the secretary of state
 3 shall examine each applicant for an operator's or chauffeur's
 4 license who at the time of the application is not the holder of a
 5 valid, unrevoked operator's or chauffeur's license under a law of
 6 this state providing for the licensing of drivers. Before the
 7 secretary of state authorizes ~~a person~~ **an individual** to administer
 8 vehicle group designation or endorsement knowledge tests, that
 9 ~~person~~ **individual** must successfully complete both a state and
 10 Federal Bureau of Investigation fingerprint-based criminal history
 11 check or the equivalent through the department of state police. In
 12 all other cases, the secretary of state may waive the examination,
 13 except that an examination must not be waived if it appears from
 14 the application, from the apparent physical or mental condition of
 15 the applicant, or from any other information that has come to the
 16 secretary of state from another source, that the applicant does not
 17 possess the physical, mental, or other qualifications necessary to
 18 operate a motor vehicle in a manner as not to jeopardize the safety
 19 of persons or property, or that the applicant is not entitled to a
 20 license under section 303. A licensee who applies for the renewal
 21 of his or her license by mail under section 307 shall certify to
 22 his or her physical capability to operate a motor vehicle. The
 23 secretary of state may check the applicant's driving record through
 24 the National Driver Register and the Commercial Driver's License
 25 Information System before issuing a license under this section.

26 (2) The secretary of state may appoint sheriffs, their
 27 deputies, the chiefs of police of cities and villages ~~having that~~
 28 **have** organized police departments within this state, their duly
 29 authorized representatives, or employees of the secretary of state



1 as examining officers for the purpose of examining applicants for
2 operator's and chauffeur's licenses. An examining officer shall
3 conduct examinations of applicants for operator's and chauffeur's
4 licenses in accordance with this chapter and the rules promulgated
5 by the secretary of state under subsection (3). After conducting an
6 examination an examining officer shall make a written report of his
7 or her findings and recommendations to the secretary of state.

8 (3) The secretary of state shall promulgate rules under the
9 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
10 24.328, for the examination of the applicant's physical and mental
11 qualifications to operate a motor vehicle in a manner as not to
12 jeopardize the safety of persons or property, and shall ascertain
13 whether facts exist that would bar the issuance of a license under
14 section 303. The secretary of state may consider a written medical
15 report and recommendation submitted under section 5139 of the
16 public health code, 1978 PA 368, MCL 333.5139, from the personal
17 physician or optometrist of an applicant, in making the examination
18 regarding the applicant's physical and mental qualifications to
19 operate a motor vehicle under this section and R 257.851 to R
20 257.855 of the Michigan Administrative Code. A report received by
21 the secretary of state from a physician or an optometrist under
22 this section is confidential. The secretary of state shall also
23 ascertain whether the applicant has sufficient knowledge of the
24 English language to understand highway warnings or direction signs
25 written in that language. The examination must not include
26 investigation of facts other than those facts directly pertaining
27 to the ability of the applicant to operate a motor vehicle with
28 safety or facts declared to be prerequisite to the issuance of a
29 license under this act.



1 (4) The secretary of state shall not issue an original
 2 operator's or chauffeur's license without a vehicle group
 3 designation or indorsement without an examination that includes a
 4 driving skills test conducted by the secretary of state or by a
 5 designated examining officer under subsection (2) or section 310e.
 6 The secretary of state may enter into an agreement with another
 7 public or private corporation or agency to conduct a driving skills
 8 test conducted under this section. Before the secretary of state
 9 authorizes ~~a person~~ **an individual** to administer a corporation's or
 10 agency's driver skills testing operations or authorizes an examiner
 11 to conduct a driving skills test, that ~~person~~ **individual** or
 12 examiner must successfully complete both a state and Federal Bureau
 13 of Investigation fingerprint-based criminal history check through
 14 the department of state police as required by law and as provided
 15 under 49 CFR 384.228. In an agreement with another public or
 16 private corporation or agency to conduct a driving skills test, the
 17 secretary of state shall prescribe the method and examination
 18 criteria to be followed by the corporation, agency, or examiner
 19 when conducting the driving skills test and the form of the
 20 certification to be issued to ~~a person~~ **an individual** who
 21 satisfactorily completes a driving skills test. An original vehicle
 22 group designation or indorsement shall not be issued by the
 23 secretary of state without a knowledge test conducted by the
 24 secretary of state. Except as provided in section 312f(1), an
 25 original vehicle group designation or passenger or school bus
 26 indorsement must not be issued by the secretary of state without a
 27 driving skills test conducted by an examiner appointed or
 28 authorized by the secretary of state or an equivalent driving
 29 skills test meeting the requirements of 49 CFR part 383 conducted



1 in another jurisdiction.

2 (5) Except as otherwise provided in this act, the secretary of
3 state may waive the requirement of a driving skills test, knowledge
4 test, or road sign test of an applicant for an original operator's
5 or chauffeur's license without a vehicle group designation or
6 indorsement who at the time of the application is the holder of a
7 valid, unrevoked operator's or chauffeur's license issued by
8 another state or country.

9 (6) A driving skills test conducted under this section must
10 include a behind-the-wheel road test. Before conducting a behind-
11 the-wheel road test for an applicant seeking a vehicle group
12 designation, including any upgrade to a vehicle group designation,
13 or for any indorsement required to operate a commercial motor
14 vehicle, the examiner shall determine that the applicant was issued
15 his or her commercial learner's permit not less than 14 days before
16 the date of that test and that he or she has that permit in his or
17 her possession.

18 (7) A person who corrupts or attempts to corrupt a designated
19 examining officer appointed or designated by the secretary of state
20 under this section or section 310e by giving, offering, or
21 promising any gift or gratuity with the intent to influence the
22 opinion or decision of the examining officer conducting the test is
23 guilty of a felony.

24 (8) A designated examining officer appointed or designated by
25 the secretary of state who conducts a driving skills test under an
26 agreement entered into under this section or section 310e and who
27 varies from, shortens, or in any other way changes the method or
28 examination criteria prescribed in that agreement in conducting a
29 driving skills test is guilty of a felony.



1 (9) A person who forges, counterfeits, or alters a
 2 satisfactorily completed driving skills test certification issued
 3 by a designated examining officer appointed or designated by the
 4 secretary of state under this section or section 310e is guilty of
 5 a felony.

6 (10) The secretary of state shall waive the requirement of a
 7 written knowledge test, road sign test, and driving skills test of
 8 an applicant for an original motorcycle endorsement if the person
 9 has successfully passed a motorcycle safety course approved by the
 10 department as described in sections 811a and 811b.

11 (11) An operator's or chauffeur's license that expires on or
 12 after March 1, 2020 is valid until ~~September 30,~~ **December 31,** 2020.

13 Sec. 312f. (1) Except as otherwise provided in this section, a
 14 ~~person~~ **an individual** shall be not less than 18 years of age before
 15 he or she is issued a vehicle group designation or indorsement,
 16 other than a motorcycle indorsement, or not less than 21 years of
 17 age and has been approved by the Transportation Security
 18 Administration for a hazardous material endorsement before he or
 19 she is issued a hazardous material indorsement on an operator's or
 20 chauffeur's license and, as provided in this section, the ~~person~~
 21 **individual** shall pass knowledge and driving skills tests that
 22 comply with minimum federal standards prescribed in 49 CFR part
 23 383. The knowledge and skills test scores must be retained by the
 24 secretary of state as provided under 49 CFR 383.135. ~~A person~~ **An**
 25 **individual** who is 18 years of age or older operating a vehicle to
 26 be used for farming purposes only may obtain an A or B vehicle
 27 group designation or an F vehicle indorsement. Each written
 28 examination given an applicant for a vehicle group designation or
 29 indorsement must include subjects designed to cover the type or



1 general class of vehicle to be operated. Except as follows, a
2 ~~person~~**an individual** shall pass an examination that includes a
3 driving skills test designed to test competency of the applicant
4 for an original vehicle group designation and passenger indorsement
5 on an operator's or chauffeur's license to drive that type or
6 general class of vehicle upon the highways of this state with
7 safety to persons and property:

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

14 (b) The driving skills test may be waived if the applicant has
15 a valid license with the appropriate vehicle group designation,
16 passenger vehicle indorsement, or school bus indorsement in another
17 state issued in compliance with 49 USC 31301 to 31317, or if the
18 ~~person~~**individual** successfully passes a driving skills test
19 administered in another state that meets the requirements of
20 federal law and the law of this state.

21 (c) The secretary of state may waive the driving skills test
22 required under this section for a ~~person~~**an individual** with
23 military commercial motor vehicle experience if the ~~person~~,
24 **individual**, at the time of application, certifies and provides
25 evidence satisfactory to the secretary of state that he or she
26 continuously met all of the requirements under 49 CFR 383 during
27 the 2-year period immediately preceding the date of application for
28 the commercial driver license.

29 (2) Except for a ~~person~~**an individual** who has held an



1 operator's or chauffeur's license for less than 1 year, the
2 secretary of state shall waive the knowledge test and the driving
3 skills test and issue a 1-year seasonal restricted vehicle group
4 designation to an otherwise qualified applicant to operate a group
5 B or a group C vehicle for a farm related service industry if all
6 of the following conditions are met:

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

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

13 (c) The commercial motor vehicle for which the seasonal
14 restricted vehicle group designation is issued ~~shall~~**must** be
15 operated only if all the following conditions are met:

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

19 (ii) The commercial motor vehicle does not transport a quantity
20 of hazardous materials on which a placard under 49 CFR parts 100 to
21 199 is required except for the following:

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

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

24 (C) Solid fertilizers that are not transported with any
25 organic substance.

26 (iii) The commercial motor vehicle does not require the H, N, P,
27 S, T, or X vehicle indorsement.

28 (3) A seasonal restricted vehicle group designation under this
29 section ~~shall~~**must** be issued, suspended, revoked, canceled, denied,



1 or renewed in accordance with this act. The secretary of state may
2 renew a seasonal restricted vehicle group designation 1 time per
3 calendar year regardless of whether the seasonal restricted vehicle
4 group designation is expired at the time of renewal.

5 (4) The secretary of state may enter into an agreement with
6 another public or private corporation or agency to conduct a
7 driving skills test required under this section, section 312e, or
8 49 CFR part 383. Before the secretary of state authorizes ~~a person~~
9 **an individual** to administer a corporation's or agency's driver
10 skills testing operations or authorizes an examiner to conduct a
11 driving skills test, that ~~person~~**individual** or examiner must
12 complete both a state and Federal Bureau of Investigation
13 fingerprint-based criminal history check through the department of
14 state police.

15 (5) The secretary of state shall not issue a commercial
16 learner's permit, a vehicle group designation, or a vehicle
17 indorsement to an applicant for an original vehicle group
18 designation or vehicle indorsement under section 312e or may cancel
19 a commercial learner's permit or all vehicle group designations or
20 endorsements on ~~a person's~~**an individual's** operator's or
21 chauffeur's license to whom 1 or more of the following apply:

22 (a) The applicant has had his or her license suspended or
23 revoked for a reason other than as provided in section 321a, 515,
24 732a, or 801c or section 30 of the support and parenting time
25 enforcement act, 1982 PA 295, MCL 552.630, in the 36 months
26 immediately preceding application. However, a vehicle group
27 designation may be issued if the suspension or revocation was due
28 to a temporary medical condition or failure to appear at a
29 reexamination as provided in section 320.



1 (b) The applicant was convicted of or incurred a bond
2 forfeiture in relation to a 6-point violation as provided in
3 section 320a in the 24 months immediately preceding application if
4 the violation occurred while the applicant was operating a
5 commercial motor vehicle, or a violation of section 625(3) or
6 former section 625b, or a local ordinance **that** substantially
7 ~~corresponding~~**corresponds** to section 625(3) or former section 625b
8 in the 24 months immediately preceding application, if the
9 applicant was operating any type of motor vehicle.

10 (c) The applicant is listed on the national driver register,
11 the commercial driver's license information system, or the driving
12 records of the state in which the applicant was previously licensed
13 as being disqualified from operating a commercial motor vehicle or
14 as having a license or driving privilege suspended, revoked,
15 canceled, or denied.

16 (d) The applicant is listed on the national driver register,
17 the commercial driver's license information system, or the driving
18 records of the state in which the applicant was previously licensed
19 as having had a license suspended, revoked, or canceled in the 36
20 months immediately preceding application if a suspension or
21 revocation would have been imposed under this act had the applicant
22 been licensed in this state in the original instance. This
23 subdivision does not apply to a suspension or revocation that would
24 have been imposed due to a temporary medical condition or under
25 section 321a, 515, 732a, or 801c or section 30 of the support and
26 parenting time enforcement act, 1982 PA 295, MCL 552.630.

27 (e) The applicant is subject to a suspension or revocation
28 under section 319b or would have been subject to a suspension or
29 revocation under section 319b if the applicant had been issued a



1 vehicle group designation or vehicle indorsement.

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

7 (g) The United States Secretary of Transportation has
8 disqualified the applicant from operating a commercial motor
9 vehicle.

10 (h) The applicant fails to satisfy the federal regulations
11 promulgated under 49 CFR parts 383 and 391 by refusing to certify
12 the type of commercial motor vehicle operation the applicant
13 intends to perform and fails to present valid medical certification
14 to the secretary of state if required to do so. The requirement of
15 this subdivision is waived from July 1, 2020 to ~~September 30, 2020~~
16 **December 31, 2020** pursuant to the Waiver in Response to the COVID-
17 19 National Emergency - For States, CDL Holders, CLP Holders, and
18 Interstate Drivers Operating Commercial Motor Vehicles.

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

21 (j) If the secretary of state determines through a
22 governmental investigation that there is reason to believe that a
23 commercial driver license or endorsement was issued as a result of
24 fraudulent or improper conduct in taking a knowledge test or
25 driving skills test required under 49 CFR 383, the secretary of
26 state shall require the applicant to retake and successfully pass
27 that test. The secretary of state shall cancel any commercial
28 driver license or endorsement issued as a result of the suspect
29 test unless the applicant retakes and passes that test.



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

4 (a) The United States Secretary of Transportation has
 5 disqualified the applicant from operating a commercial motor
 6 vehicle.

7 (b) The applicant is listed on the national driver register or
 8 the commercial driver's license information system as being
 9 disqualified from operating a commercial motor vehicle or as having
 10 a driver license or driving privilege suspended, revoked, canceled,
 11 or denied.

12 (c) On or after January 30, 2012, the applicant fails to meet
 13 the requirements of 49 CFR parts 383 and 391 by refusing to certify
 14 the type of commercial motor vehicle operation the applicant
 15 intends to perform and fails to present medical certification to
 16 the secretary of state if required to do so. The requirement of
 17 this subdivision is waived from July 1, 2020 to ~~September 30, 2020~~
 18 **December 31, 2020**, pursuant to the Waiver in Response to the COVID-
 19 19 National Emergency - For States, CDL Holders, CLP Holders, and
 20 Interstate Drivers Operating Commercial Motor Vehicles.

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

25 (8) If an applicant for an original vehicle group designation
 26 was previously licensed in another jurisdiction, the secretary of
 27 state shall request a copy of the applicant's driving record from
 28 that jurisdiction. If 1 or more of the conditions described in
 29 subsection (5) exist in that jurisdiction when the secretary of



1 state receives the copy, the secretary of state shall cancel all
2 vehicle group designations on the ~~person's~~**individual's** operator's
3 or chauffeur's license.

4 (9) The secretary of state shall cancel all vehicle group
5 designations on a ~~person's~~**an individual's** operator's or
6 chauffeur's license upon receiving notice from the United States
7 Secretary of Transportation, the national driver register, the
8 commercial driver's license information system, or another state or
9 jurisdiction that 1 or more of the conditions described in
10 subsection (5) existed at the time of the ~~person's~~**individual's**
11 application in this state.

12 (10) The secretary of state shall cancel all vehicle group
13 designations on the ~~person's~~**individual's** operator's or chauffeur's
14 license upon receiving proper notice that the ~~person~~**individual** no
15 longer meets the federal driver qualification requirements under 49
16 CFR parts 383 and 391 to operate a commercial motor vehicle in
17 interstate or intrastate commerce, or the ~~person~~**individual** no
18 longer meets the driver qualification requirements to operate a
19 commercial motor vehicle in intrastate commerce under the motor
20 carrier safety act of 1963, 1963 PA 181, MCL 480.11 to 480.25.

21 (11) Subsection (5) (a), (b), (d), and (f) does not apply to an
22 applicant for an original vehicle group designation who at the time
23 of application has a valid license to operate a commercial motor
24 vehicle issued by any state in compliance with 49 USC 31301 to
25 31317.

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

29 Sec. 312k. (1) Notwithstanding any other provisions in this



1 act, all of the following apply:

2 (a) A commercial driver license that expires on or after March
3 1, 2020 is valid until ~~September 30,~~ **December 31,** 2020.

4 (b) Medical certification for operator's or chauffeur's
5 license holders with a group designation required under 49 CFR
6 391.45 that expires on or after March 1, 2020 are valid until
7 ~~September 30,~~ **December 31,** 2020. This subdivision does not apply to
8 either of the following:

9 (i) A medical certification for operator's or chauffeur's
10 license holders with a group designation required under 49 CFR
11 391.45 that was not valid before March 1, 2020.

12 (ii) An individual issued a medical certification for
13 operator's or chauffeur's license holders with a group designation
14 required under 49 CFR 391.45 who, since his or her last medical
15 certificate was issued, has been diagnosed with a medical condition
16 that would disqualify the individual from operating in interstate
17 commerce, or who, since his or her last medical certificate was
18 issued, has developed a condition that requires an exemption or
19 Skill Performance Evaluation from the Federal Motor Carrier Safety
20 Administration.

21 (c) Hazardous material endorsements that expire on or after
22 March 1, 2020 are valid ~~for an additional 180 days from the~~
23 ~~original expiration date.~~ **until October 29, 2020.** A security threat
24 assessment required under 49 CFR 1572.13(a) that is valid on or
25 after March 1, 2020 is valid until ~~the extension is exhausted.~~
26 **October 29, 2020.** An individual with a hazardous material
27 endorsement that is extended for 180 days under this subdivision
28 must initiate a security threat assessment with the National
29 Highway Traffic Safety Administration at least 60 days before the



1 expiration of the hazardous material endorsement.

2 (2) This section does not affect the secretary of state's
3 authority to revoke or suspend an operator's or chauffeur's license
4 or a group designation or indorsement under this act.

5 Sec. 314. (1) Except as otherwise provided in this section, an
6 operator's license and chauffeur's license expire on the birthday
7 of the individual to whom the license is issued in the fourth year
8 following the date of the issuance of the license or on the date
9 the individual is no longer considered to be legally present in the
10 United States under section 307, whichever is earlier, unless
11 suspended or revoked before that date. A license must not be issued
12 for a period longer than 4 years. An individual holding a license
13 at any time 12 months before the expiration of his or her license
14 may apply for a new license as provided for in this chapter. A
15 knowledge test for an original group designation or indorsement may
16 be taken at any time during this period and the results are valid
17 for 12 months. A license renewed under this subsection must be
18 renewed for the time remaining on the license before its renewal
19 combined with the 4-year renewal period.

20 (2) The first operator's license issued to an individual who
21 at the time of application is less than 20-1/2 years of age expires
22 on the licensee's twenty-first birthday or on the date the
23 individual is no longer considered to be legally present in the
24 United States under section 307, whichever is earlier, unless
25 suspended or revoked.

26 (3) The first chauffeur's license issued to an individual
27 expires on the licensee's birthday in the fourth year following the
28 date of issuance or on the date the individual is no longer
29 considered to be legally present in the United States under section



1 307, whichever is earlier, unless the license is suspended or
2 revoked before that date. The chauffeur's license of an individual
3 who at the time of application is less than 20-1/2 years of age
4 expires on the licensee's twenty-first birthday or on the date the
5 individual is no longer considered to be legally present in the
6 United States under section 307, whichever is earlier, unless
7 suspended or revoked. A subsequent chauffeur's license expires on
8 the birthday of the individual to whom the license is issued in the
9 fourth year following the date of issuance of the license or on the
10 date the individual is no longer considered to be legally present
11 in the United States under section 307, whichever is earlier,
12 unless the license is suspended or revoked before that date.

13 (4) An individual may apply for an extension of his or her
14 driving privileges if he or she is out of state on the date that
15 his or her operator's or chauffeur's license expires. The extension
16 may extend the license for 180 days beyond the expiration date or
17 not more than 2 weeks after the applicant returns to Michigan,
18 whichever occurs first. This subsection does not apply to an
19 individual who fails to meet the requirements of 49 CFR parts 383
20 and 391 with regard to medical certification documentation
21 requirements.

22 (5) The secretary of state may issue a renewal operator's or
23 chauffeur's license to an individual who will be out of state for
24 more than 180 days beyond the expiration date of his or her
25 operator's or chauffeur's license, if the secretary of state has a
26 digital image of the individual on file. The applicant for this
27 renewal shall submit a statement evidencing a vision examination in
28 accordance with the rules promulgated by the secretary of state
29 under section 309 and any other statement required by this act or



1 federal law. An individual is not eligible for consecutive renewals
2 of a license under this subsection. This subsection does not apply
3 to an individual who fails to meet the requirements of 49 CFR parts
4 383 and 391 with regard to medical certification documentation
5 requirements, or an individual with a hazardous material
6 indorsement on his or her operator's or chauffeur's license.

7 (6) The secretary of state may check the applicant's driving
8 record through the National Driver Register and the Commercial
9 Driver's License Information System before issuing a renewal under
10 this section.

11 (7) Notwithstanding the provisions of this section, an
12 operator's or chauffeur's license that expires on or after March 1,
13 2020 is valid until ~~September 30,~~ **December 31**, 2020.

14 Sec. 801k. Notwithstanding any other provisions in this
15 chapter, late fees must not be assessed on the following vehicles:

16 (a) A vehicle registered under section 801(1)(j) or (k) or
17 section 801g whose registration expires on or after March 1, 2020
18 and whose registration is renewed before ~~September 30,~~ **December 31**,
19 2020.

20 (b) All other vehicles registered under this chapter whose
21 registration expires on or after March 1, 2020 and whose
22 registration is renewed before ~~September 30,~~ **December 31**, 2020.

23 Enacting section 1. This amendatory act does not take effect
24 unless all of the following bills of the 100th Legislature are
25 enacted into law:

26 (a) House Bill No. 5756.

27 (b) House Bill No. 5757.

