

# SENATE BILL No. 315

May 16, 1991, Introduced by Senators STABENOW,  
VAN REGENMORTER, WELBORN and EHLERS and referred  
to the Committee on Judiciary.

A bill to amend sections 319, 319b, 320a, and 625b of Act  
No. 300 of the Public Acts of 1949, entitled as amended  
"Michigan vehicle code,"

section 319 as amended by Act No. 406 of the Public Acts of 1988,  
section 319b as added by Act No. 346 of the Public Acts of 1988,  
section 320a as amended by Act No. 154 of the Public Acts of  
1987, and section 625b as amended by Act No. 109 of the Public  
Acts of 1987, being sections 257.319, 257.319b, 257.320a, and  
257.625b of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Sections 319, 319b, 320a, and 625b of Act  
2 No. 300 of the Public Acts of 1949, section 319 as amended by Act  
3 No. 406 of the Public Acts of 1988, section 319b as added by Act  
4 No. 346 of the Public Acts of 1988, section 320a as amended by  
5 Act No. 154 of the Public Acts of 1987, and section 625b as

1 amended by Act No. 109 of the Public Acts of 1987, being sections  
2 257.319, 257.319b, 257.320a, and 257.625b of the Michigan  
3 Compiled Laws, are amended to read as follows:

4       Sec. 319. (1) The secretary of state shall immediately sus-  
5 pend for a period of not less than 90 days ~~, nor~~ OR more than 2  
6 years, the license of a person upon receiving a record of the  
7 conviction ~~of the person~~ or ~~the entry of a~~ probate court  
8 ~~order of~~ disposition ~~for a child found to be within the provi-~~  
9 ~~sions of chapter XIIIA of Act No. 288 of the Public Acts of 1939,~~  
10 ~~being sections 712A.1 to 712A.28 of the Michigan Compiled Laws,~~  
11 OF THE PERSON for any of the following crimes or attempts to  
12 commit any of the following crimes, whether the conviction or  
13 probate court disposition is under a law of this state, a local  
14 ordinance substantially corresponding to a law of this state, or  
15 a law of another state substantially corresponding to a law of  
16 this state:

17       (a) Fraudulently altering or forging documents pertaining to  
18 motor vehicles, in violation of section 257.

19       (b) Perjury or the making of a false certification to the  
20 secretary of state under any law requiring the registration of a  
21 motor vehicle or regulating the operation of a motor vehicle on a  
22 highway.

23       (c) A violation of section 324, 413, or 414 of the Michigan  
24 penal code, Act No. 328 of the Public Acts of 1931, being sec-  
25 tions 750.324, 750.413, and 750.414 of the Michigan Compiled  
26 Laws; or a violation of section 1 of Act No. 214 of the Public

1 Acts of 1931, being section 752.191 of the Michigan Compiled  
2 Laws.

3 (d) Conviction upon 3 charges of reckless driving within the  
4 preceding ~~+2-~~ 36 months.

5 (e) Failing to stop and disclose identity at the scene of an  
6 accident resulting in death or injury to another person, in vio-  
7 lation of section 617 OR 617A.

8 (f) A felony in which a motor vehicle was used. As used in  
9 this section, "felony in which a motor vehicle was used" means a  
10 felony during the commission of which the person convicted oper-  
11 ated a motor vehicle and while operating the vehicle presented  
12 real or potential harm to persons or property and 1 or more of  
13 the following circumstances existed:

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

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

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

18 (iv) The vehicle was necessary for the commission of the  
19 felony.

20 ~~-(2) The secretary of state shall suspend, for the period~~  
21 ~~described in subsection (1), the license of a person upon receiv-~~  
22 ~~ing the record of conviction of the person for a violation of a~~  
23 ~~law of another state substantially corresponding to section~~  
24 ~~625(1) or (2).-~~

25 (2) ~~-(3)-~~ The secretary of state shall suspend the license  
26 of a person convicted of malicious destruction resulting from the  
27 operation of a motor vehicle under section 382 of the Michigan

1 penal code, Act No. 328 of the Public Acts of 1931, as amended,  
2 being section 750.382 of the Michigan Compiled Laws, for a period  
3 of not more than 1 year as ordered by the court as part of the  
4 sentence.

5 (3) ~~-(4)-~~ The secretary of state shall immediately suspend  
6 the license of a person for the period specified in the certifi-  
7 cate of conviction upon receipt of the person's license and cer-  
8 tificate of conviction forwarded to the secretary of state pursu-  
9 ant to section 367c of the Michigan penal code, Act No. 328 of  
10 the Public Acts of 1931, being section 750.367c of the Michigan  
11 Compiled Laws.

12 (4) IF A COURT HAS NOT ORDERED A SUSPENSION OF A PERSON'S  
13 LICENSE AS AUTHORIZED BY THIS ACT, THE SECRETARY OF STATE SHALL  
14 SUSPEND THE LICENSE AS FOLLOWS, NOTWITHSTANDING A COURT ORDER  
15 ISSUED UNDER SECTION 625(1), (3), (4), OR (5), OR SECTION 625B,  
16 OR FORMER SECTION 625(1) OR (2), OR FORMER SECTION 625B, OR A  
17 LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR  
18 (3), OR SECTION 625B, OR FORMER SECTION 625(1) OR (2), OR FORMER  
19 SECTION 625B:

20 (A) FOR A PERIOD OF NOT LESS THAN 90 DAYS OR MORE THAN 1  
21 YEAR, UPON RECEIVING A RECORD OF THE CONVICTION OF THE PERSON FOR  
22 A VIOLATION OF SECTION 625(3), A LOCAL ORDINANCE SUBSTANTIALLY  
23 CORRESPONDING TO SECTION 625(3), OR A LAW OF ANOTHER STATE SUB-  
24 STANTIALLY CORRESPONDING TO SECTION 625(3), IF THE PERSON HAS NO  
25 PRIOR CONVICTIONS WITHIN 7 YEARS FOR A VIOLATION OF SECTION  
26 625(1), (3), (4), OR (5), OR FORMER SECTION 625(1) OR (2), OR  
27 FORMER SECTION 625B, A LOCAL ORDINANCE SUBSTANTIALLY

1 CORRESPONDING TO SECTION 625(1) OR (3), OR FORMER SECTION 625(1)  
2 OR (2), OR FORMER SECTION 625B, OR A LAW OF ANOTHER STATE SUB-  
3 STANTIALLY CORRESPONDING TO SECTION 625(1), (3), (4), OR (5), OR  
4 FORMER SECTION 625(1) OR (2), OR FORMER SECTION 625B.

5 (B) ~~(5) The secretary of state shall suspend, for~~ FOR a  
6 period of not less than 6 months ~~nor~~ OR more than ~~18 months,~~  
7 ~~the license of a~~ 2 YEARS, IF THE person ~~having~~ HAS the follow-  
8 ing convictions within a 7-year period, whether under the law of  
9 this state, a local ordinance substantially corresponding to a  
10 law of this state, or a law of another state substantially corre-  
11 sponding to a law of this state:

12 (i) ONE CONVICTION UNDER SECTION 625(1) OR FORMER SECTION  
13 625(1) OR (2). HOWEVER, IF THE CONVICTION IS UNDER A LAW OF  
14 ANOTHER STATE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR  
15 FORMER SECTION 625(1) OR (2), THE SECRETARY OF STATE MAY WAIVE  
16 THE SUSPENSION UNDER THIS SUBDIVISION IF THE PERSON SUBMITS PROOF  
17 THAT A COURT SUSPENDED OR RESTRICTED HIS OR HER LICENSE FOR A  
18 PERIOD EQUAL TO OR GREATER THAN THE PERIOD OF SUSPENSION OR  
19 RESTRICTION AUTHORIZED UNDER THIS SUBSECTION AND THAT THE SUSPEN-  
20 SION OR RESTRICTION WAS SERVED IN THE OTHER STATE, OR MAY GRANT  
21 RESTRICTIONS.

22 (ii) ~~(a) Two~~ ANY COMBINATION OF 2 convictions under sec-  
23 tion 625(3) OR FORMER SECTION 625b.

24 (iii) ~~(b) One~~ conviction under section 625(1) OR FORMER  
25 SECTION 625(1) or (2) ~~followed by~~ AND 1 conviction under sec-  
26 tion 625(3) OR FORMER SECTION 625b.

1 (iv) ONE CONVICTION UNDER SECTION 625(4) OR (5) FOLLOWED BY  
2 1 CONVICTION UNDER SECTION 625(3).

3 (5) ~~(6)~~ Upon receipt of a certificate of conviction pursu-  
4 ant to section 33b(3) of the Michigan liquor control act, Act  
5 No. 8 of the Public Acts of the Extra Session of 1933, being sec-  
6 tion 436.33b of the Michigan Compiled Laws, or a local ordinance  
7 or law of another state substantially corresponding to section  
8 33b(3) of Act No. 8 of the Public Acts of the Extra Session of  
9 1933, the secretary of state shall suspend the person's  
10 operator's or chauffeur's license for a period of 90 days. A  
11 suspension under this subsection shall be in addition to any  
12 other suspension of the person's license.

13 (6) ~~(7)~~ Upon receipt of the record of the conviction ~~of a~~  
14 ~~person,~~ or ~~the entry of a~~ probate court ~~order of~~ disposition  
15 ~~for a child found to be within the provisions of chapter XIIIA of~~  
16 ~~Act No. 288 of the Public Acts of 1939,~~ OF A PERSON for a viola-  
17 tion of section 602a of this act or section 479a(1), (4), or (5)  
18 of Act No. 328 of the Public Acts of 1931, being section 750.479a  
19 of the Michigan Compiled Laws, the secretary of state immediately  
20 shall suspend the license of the person for the period ordered by  
21 the court as part of the sentence or disposition.

22 (7) ~~(8)~~ ~~For purposes of this section, the secretary of~~  
23 ~~state shall treat a conviction or probate court disposition for a~~  
24 ~~child found to be within the provisions of chapter XIIIA of Act~~  
25 ~~No. 288 of the Public Acts of 1939 for an attempted offense as if~~  
26 ~~the offense had been completed.~~ A SUSPENSION PURSUANT TO THIS  
27 SECTION SHALL BE IMPOSED NOTWITHSTANDING A COURT ORDER ISSUED

1 UNDER SECTION 625(1), (3), (4), OR (5), OR SECTION 625B, OR A  
2 LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR  
3 (3) OR SECTION 625B.

4 (8) IF THE SECRETARY OF STATE RECEIVES RECORDS OF MORE THAN  
5 1 CONVICTION OR PROBATE COURT DISPOSITION OF A PERSON RESULTING  
6 FROM THE SAME INCIDENT, A SUSPENSION SHALL BE IMPOSED ONLY FOR  
7 THE VIOLATION TO WHICH THE LONGEST PERIOD OF SUSPENSION APPLIES  
8 UNDER THIS SECTION.

9 (9) AS USED IN THIS SECTION, "PROBATE COURT DISPOSITION"  
10 MEANS THE ENTRY OF A PROBATE COURT ORDER OF DISPOSITION FOR A  
11 CHILD FOUND TO BE WITHIN THE PROVISIONS OF CHAPTER XIIA OF ACT  
12 NO. 288 OF THE PUBLIC ACTS OF 1939, BEING SECTIONS 712A.1 TO  
13 712A.28 OF THE MICHIGAN COMPILED LAWS.

14 Sec. 319b. (1) The secretary of state shall immediately  
15 suspend all vehicle group designations on an operator's or  
16 chauffeur's license when the secretary of state receives notice  
17 of a conviction, bond forfeiture, or civil infraction determina-  
18 tion for a violation described in this section committed within  
19 this state or another state. The period of suspension shall be  
20 as follows:

21 (a) For 60 days when the licensee is convicted of or found  
22 responsible for 2 serious traffic violations while operating a  
23 commercial motor vehicle within 36 months.

24 (b) For 120 days when the licensee is convicted of or found  
25 responsible for 3 serious traffic violations while operating a  
26 commercial motor vehicle within 36 months.

1 (c) For 1 year when the licensee is convicted of 1 of the  
2 following:

3 (i) A violation of section 625(1), (3), (4), or ~~-(2)-~~ (5),  
4 or FORMER SECTION 625(1) OR (2), OR FORMER section 625b, or a  
5 local ordinance SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR  
6 (3), OR FORMER SECTION 625(1) OR (2), OR FORMER SECTION 625B, or  
7 A law of another state substantially corresponding to  
8 section 625(1), (3), (4), or ~~-(2)-~~ (5) or FORMER SECTION 625(1)  
9 OR (2), OR FORMER section 625b, while operating a commercial  
10 motor vehicle.

11 (ii) Leaving the scene of an accident involving a commercial  
12 motor vehicle, which commercial motor vehicle is operated by the  
13 licensee.

14 (iii) A felony in which a commercial motor vehicle was  
15 used.

16 (iv) A 6-point violation as provided in section 320a.

17 (d) For 3 years when the licensee is convicted of a felony  
18 in which a commercial motor vehicle was used if the vehicle was  
19 carrying hazardous material required to have a placard pursuant  
20 to 49 C.F.R. parts 100 to 199.

21 (e) For life when a licensee is convicted of 1 of the  
22 following:

23 (i) ~~Two~~ ANY COMBINATION OF 2 violations under section  
24 625(1), (3), (4), or ~~-(2)-~~ (5) , OR FORMER SECTION 625(1) OR (2),  
25 or FORMER section 625b, ~~or~~ a local ordinance SUBSTANTIALLY COR-  
26 RESPONDING TO SECTION 625(1) OR (3), OR FORMER SECTION 625(1) OR  
27 (2), OR FORMER SECTION 625B, or A law of another state



1 substantially corresponding to section 625(1), (3), (4), or ~~(2)~~  
2 (5), OR FORMER SECTION 625(1) OR (2), or FORMER section 625b  
3 while driving a commercial motor vehicle.

4       (ii) Two violations of leaving the scene of an accident  
5 involving a commercial motor vehicle, which commercial motor  
6 vehicle is operated by the licensee.

7       (iii) Two violations of a felony in which a commercial motor  
8 vehicle was used.

9       (iv) Two violations of any combination of the offenses under  
10 ~~subparagraphs~~ SUBPARAGRAPH (i), (ii), or (iii).

11       (v) One violation of a felony in which a commercial motor  
12 vehicle was used and which involves the manufacture, distribu-  
13 tion, or dispensing of a controlled substance or possession with  
14 intent to manufacture, distribute, or dispense a controlled  
15 substance.

16       (2) As used in this section:

17       (a) "Felony in which a commercial motor vehicle was used"  
18 means a felony during the commission of which the person con-  
19 victed operated a commercial motor vehicle and while operating  
20 the vehicle 1 or more of the following circumstances existed:

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

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

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

25       (iv) The vehicle was necessary for the commission of the  
26 felony.

1 (b) "Serious traffic violation" means reckless driving, a  
2 traffic violation received in connection with an accident in  
3 which a person ~~dies~~ DIED, careless driving, excessive speeding  
4 as defined in the federal administrative regulations promulgated  
5 to implement THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986,  
6 title XII of Public Law 99-570, 100 Stat. ~~-3207-~~ 3207-170, or any  
7 other serious traffic offense as specified in the federal regula-  
8 tions implementing that act or as prescribed under this act.

9 (3) For the purpose of this section only, a bond forfeiture  
10 shall be considered a conviction.

11 (4) The secretary of state may suspend a vehicle group des-  
12 ignation notwithstanding a suspension, restriction, revocation,  
13 or denial of an operator's or chauffeur's license under another  
14 section of this act.

15 (5) The secretary of state, when determining the applicabi-  
16 lity of conditions listed in this section, shall only consider  
17 violations which occurred after October 1, 1989.

18 Sec. 320a. (1) The secretary of state, within 10 days after  
19 the receipt of a properly prepared abstract from this or another  
20 state, shall record the date of conviction, civil infraction  
21 determination, or probate court ~~-finding-~~ DISPOSITION, and the  
22 number of points for each, based on the following formula, except  
23 as otherwise provided in this section and section 629c:

24 (a) Manslaughter, negligent homicide, or a felony  
25 resulting from the operation of a motor vehicle..... 6 points

- 1       (b) ~~Operating a motor vehicle while under the~~  
 2 ~~influence of intoxicating liquor or a controlled~~  
 3 ~~substance, or a combination of an intoxicating liquor~~  
 4 ~~and a controlled substance, or while having a blood~~  
 5 ~~alcohol content of 0.10% or more by weight of alcohol~~  
 6 A VIOLATION OF SECTION 625(1) OR A LAW OR ORDINANCE  
 7 SUBSTANTIALLY CORRESPONDING TO SECTION 625(1)..... 6 POINTS
- 8       (C) A VIOLATION OR ATTEMPTED VIOLATION OF SECTION  
 9 625(4) OR (5)..... 6 points
- 10       (D) ~~(c)~~ Failing to stop and disclose identity at  
 11 the scene of an accident when required by law..... 6 points
- 12       (E) ~~(d)~~ Operating a motor vehicle in a reckless  
 13 manner..... 6 points
- 14       (F) ~~(e)~~ Violation of any law or ordinance per-  
 15 taining to speed by exceeding the lawful maximum by  
 16 more than 15 miles per hour..... 4 points
- 17       (G) ~~(f)~~ Violation of section ~~625b~~ 625(3) or a  
 18 law or ordinance substantially corresponding to section  
 19 ~~625b~~ 625(3)..... 4 points
- 20       (H) ~~(g)~~ Fleeing or eluding an officer..... 6 points
- 21       (I) ~~(h)~~ Violation of section 626a or a law or  
 22 ordinance substantially corresponding to section 626a.. 4 points
- 23       (J) ~~(i)~~ Violation of any law or ordinance per-  
 24 taining to speed by exceeding the lawful maximum by  
 25 more than 10 but not more than 15 miles per hour or  
 26 careless driving in violation of section 626b or a law

1 or ordinance substantially corresponding to section  
2 626b..... 3 points  
3 (K) ~~(j)~~ Violation of any law or ordinance per-  
4 taining to speed by exceeding the lawful maximum by 10  
5 miles per hour or less..... 2 points  
6 (L) ~~(k)~~ Disobeying a traffic signal or stop  
7 sign, or improper passing..... 3 points  
8 (M) VIOLATION OF SECTION 624A OR A LAW OR ORDI-  
9 NANCE SUBSTANTIALLY CORRESPONDING TO SECTION 624A..... 2 POINTS  
10 (N) ~~(l)~~ All other moving violations pertaining  
11 to the operation of motor vehicles reported under this  
12 section..... 2 points  
13 (2) Points shall not be entered for a violation of section  
14 311, 658, 717, 719, 719a, or 723.  
15 (3) Points shall not be entered for bond forfeitures.  
16 (4) Points shall not be entered for overweight loads or for  
17 defective equipment.  
18 (5) If more than 1 conviction, civil infraction determina-  
19 tion, or probate court ~~finding~~ DISPOSITION results from the  
20 same incident, points shall be entered only for the violation  
21 which receives the highest number of points under this section.  
22 (6) If a person has accumulated 9 points as provided in this  
23 section, the secretary of state may call the person in for an  
24 interview as to the person's driving ability and record after due  
25 notice as to time and place of the interview. If the person  
26 fails to appear as provided in this subsection, the secretary of  
27 state shall add 3 points to the person's record.

1 (7) If a person is determined to be responsible for a civil  
 2 infraction for a violation of a law or ordinance pertaining to  
 3 speed by exceeding the lawful maximum on a street or highway  
 4 ~~which~~ AS THAT maximum was reduced by Act No. 28 of the Public  
 5 Acts of 1974, then points shall be entered ~~only pursuant to the~~  
 6 ~~following~~ AS FOLLOWS:

7 (a) Sixty miles per hour to the lawful maximum in  
 8 effect before being reduced by Act No. 28 of the Public  
 9 Acts of 1974..... 1 point

10 (b) Exceeding the lawful maximum in effect before  
 11 being reduced by Act No. 28 of the Public Acts of 1974,  
 12 by 10 miles per hour or less..... 2 points

13 (c) Exceeding the lawful maximum in effect before  
 14 being reduced by Act No. 28 of the Public Acts of 1974,  
 15 by more than 10 but not more than 15 miles per hour.... 3 points

16 (d) Exceeding the lawful maximum in effect before  
 17 being reduced by Act No. 28 of the Public Acts of 1974,  
 18 by more than 15 miles per hour..... 4 points

19 (8) Notwithstanding subsection (7), if a person violates a  
 20 speed restriction established by an executive order issued during  
 21 a state of energy emergency as provided by Act No. 191 of the  
 22 Public Acts of 1982, being sections 10.81 to 10.89 of the  
 23 Michigan Compiled Laws, the secretary of state shall enter points  
 24 for the violation pursuant to subsection (1).

25 (9) The secretary of state shall enter 6 points upon the  
 26 record of a person whose license is suspended or denied pursuant  
 27 to section 625f. ~~for refusal to submit to a chemical test~~

1 ~~described in section 625a.~~ However, if a conviction, civil  
2 infraction determination, or probate court ~~finding~~ DISPOSITION  
3 results from the same incident, additional points for that  
4 offense shall not be entered.

5 (10) If a Michigan driver commits a violation in another  
6 state that would be a civil infraction if committed in Michigan,  
7 and a conviction results solely because of the failure of the  
8 Michigan driver to appear in that state to contest the violation,  
9 upon receipt of the abstract of conviction by the secretary of  
10 state, the violation shall be noted on the driver's record, but  
11 no points shall be assessed against his or her driver's license.

12 Sec. 625b. ~~(1) A person shall not operate a vehicle upon a~~  
13 ~~highway or other place open to the general public, including an~~  
14 ~~area designated for the parking of vehicles, within the state~~  
15 ~~when, due to the consumption of an intoxicating liquor, a con-~~  
16 ~~trolled substance, or a combination of an intoxicating liquor and~~  
17 ~~a controlled substance, the person has visibly impaired his or~~  
18 ~~her ability to operate the vehicle. If a person is charged with~~  
19 ~~violating section 625(1) or (2), a finding of guilty is permissi-~~  
20 ~~ble under this section.~~

21 ~~(2) Except as otherwise provided in this section, a person~~  
22 ~~convicted of a violation of this section is guilty of a misde-~~  
23 ~~meanor, punishable by imprisonment for not more than 90 days, or~~  
24 ~~a fine of not more than \$300.00, or both, together with costs of~~  
25 ~~the prosecution. As part of the sentence, the court shall order~~  
26 ~~the secretary of state to suspend the operator's or chauffeur's~~  
27 ~~license of the person for a period of not less than 90 days nor~~

~~1 more than 1 year. The court may order the secretary of state to  
2 issue to the person a restricted license permitting the person  
3 during all or a specified portion of the period of suspension to  
4 drive only to and from the person's residence and work location;  
5 in the course of the person's employment or occupation; to and  
6 from an alcohol or drug education program or treatment program as  
7 ordered by the court; to and from the person's residence and an  
8 educational institution at which the person is enrolled as a stu-  
9 dent; or pursuant to a combination of these restrictions. The  
10 court may also order that the restricted license include the  
11 requirement that a person shall not operate a motor vehicle  
12 unless the vehicle is equipped with a functioning certified igni-  
13 tion interlock device. The device shall be set to render the  
14 motor vehicle inoperable if the device detects 0.02% or more by  
15 weight of alcohol in the blood of the person who offers a breath  
16 sample. The court may order installation of a certified ignition  
17 interlock device on any motor vehicle that the person owns or  
18 operates, the costs of which shall be borne by the person whose  
19 license is restricted. The court shall not order the secretary  
20 of state to issue a restricted chauffeur's license which would  
21 permit a person to operate a truck or truck tractor, including a  
22 trailer, which hauls hazardous material. The court shall not  
23 order the secretary of state to issue a restricted license unless  
24 the person states under oath and the court finds that the person  
25 is unable to take public transportation to and from his or her  
26 work location, place of alcohol or drug education or treatment,  
27 or educational institution, and does not have any family members~~

~~1 or others able to provide transportation. The court order and~~  
~~2 license shall indicate the person's work location and the~~  
~~3 approved route or routes and permitted times of travel. For pur-~~  
~~4 poses of this subsection, "work location" includes, as applica-~~  
~~5 ble, either or both of the following:~~

~~6 (i) The specific place or places of employment.~~

~~7 (ii) The territory or territories regularly visited by the~~  
~~8 person in pursuance of the person's occupation.~~

~~9 (3) A person who violates this section or a local ordinance~~  
~~10 substantially corresponding to this section within 7 years of a~~  
~~11 prior conviction may be sentenced to imprisonment for not more~~  
~~12 than 1 year, or a fine of not more than \$1,000.00, or both. As~~  
~~13 part of the sentence, the court shall order the secretary of~~  
~~14 state to suspend the operator's or chauffeur's license of the~~  
~~15 person for a period of not less than 6 months nor more than 18~~  
~~16 months. The court may order the secretary of state to issue to~~  
~~17 the person a restricted license as provided in subsection (2),~~  
~~18 except that a restricted license shall not be issued during the~~  
~~19 first 60 days of the suspension period. For purposes of this~~  
~~20 section, "prior conviction" means a conviction under this sec-~~  
~~21 tion, section 625(1) or (2), a local ordinance substantially cor-~~  
~~22 responding to this section or section 625(1) or (2), or a law of~~  
~~23 another state substantially corresponding to this section or sec-~~  
~~24 tion 625(1) or (2).~~

~~25 (4) A person who violates this section, or a local ordinance~~  
~~26 substantially corresponding to this section, within 10 years of 2~~  
~~27 or more prior convictions, as defined in subsection (3), may be~~



~~1 sentenced as provided in subsection (3), except that as part of~~  
~~2 the sentence the court shall order the secretary of state to~~  
~~3 revoke the operator's or chauffeur's license of the person.~~

~~4 (5) As part of the sentence for a violation of this section~~  
~~5 or a local ordinance substantially corresponding to this section,~~  
~~6 the court may order the person to perform service to the communi-~~  
~~7 ty, as designated by the court, without compensation, for a~~  
~~8 period not to exceed 12 days. The person shall reimburse the~~  
~~9 state or appropriate local unit of government for the cost of~~  
~~10 insurance incurred by the state or local unit of government as a~~  
~~11 result of the person's activities under this subsection.~~

12 (1) A PERSON ARRESTED FOR A MISDEMEANOR VIOLATION OF  
13 SECTION 625(1) OR (3), OR A LOCAL ORDINANCE SUBSTANTIALLY CORRE-  
14 SPONDING TO SECTION 625(1) OR (3), SHALL BE ARRAIGNED ON THE  
15 CITATION, COMPLAINT, OR WARRANT NOT MORE THAN 14 DAYS AFTER THE  
16 DATE OF ARREST OR, IF AN ARREST WARRANT IS REISSUED, NOT MORE  
17 THAN 14 DAYS AFTER THE REISSUED ARREST WARRANT IS SERVED.

18 (2) THE COURT SHALL SCHEDULE A PRETRIAL CONFERENCE BETWEEN  
19 THE PROSECUTING ATTORNEY, THE DEFENDANT, AND THE DEFENDANT'S  
20 ATTORNEY IN EACH CASE IN WHICH THE DEFENDANT IS CHARGED WITH A  
21 MISDEMEANOR VIOLATION OF SECTION 625(1) OR (3) OR A LOCAL ORDI-  
22 NANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR (3). THE  
23 PRETRIAL CONFERENCE SHALL BE HELD NOT MORE THAN 35 DAYS AFTER THE  
24 DATE OF THE PERSON'S ARREST FOR THE VIOLATION OR, IF AN ARREST  
25 WARRANT IS REISSUED, NOT MORE THAN 35 DAYS AFTER THE DATE THE  
26 REISSUED ARREST WARRANT IS SERVED, UNLESS THE COURT HAS ONLY 1  
27 JUDGE WHO SITS IN MORE THAN 1 LOCATION IN THAT DISTRICT, IN WHICH

1 CASE THE PRETRIAL CONFERENCE SHALL BE HELD NOT MORE THAN 42 DAYS  
2 AFTER THE DATE OF THE PERSON'S ARREST FOR THE VIOLATION OR, IF AN  
3 ARREST WARRANT IS REISSUED, NOT MORE THAN 42 DAYS AFTER THE DATE  
4 THE REISSUED ARREST WARRANT IS SERVED. THE COURT SHALL ORDER THE  
5 DEFENDANT TO ATTEND THE PRETRIAL CONFERENCE AND MAY ACCEPT A PLEA  
6 BY THE DEFENDANT AT THE CONCLUSION OF THE PRETRIAL CONFERENCE.  
7 THE COURT MAY ADJOURN THE PRETRIAL CONFERENCE UPON THE MOTION OF  
8 A PARTY FOR GOOD CAUSE SHOWN. NOT MORE THAN 1 ADJOURNMENT SHALL  
9 BE GRANTED TO A PARTY, AND THE LENGTH OF AN ADJOURNMENT SHALL NOT  
10 EXCEED 14 DAYS. THE COURT SHALL, EXCEPT FOR DELAY ATTRIBUTABLE  
11 TO THE UNAVAILABILITY OF THE DEFENDANT, A WITNESS, OR MATERIAL  
12 EVIDENCE, OR DUE TO AN INTERLOCUTORY APPEAL OR EXCEPTIONAL CIR-  
13 CUMSTANCES, BUT NOT A DELAY CAUSED BY DOCKET CONGESTION, FINALLY  
14 ADJUDICATE A CASE IN WHICH THE DEFENDANT IS CHARGED WITH A MISDE-  
15 MEANOR VIOLATION OF SECTION 625(1) OR (3) OR A LOCAL ORDINANCE  
16 SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR (3) WITHIN 77  
17 DAYS AFTER THE PERSON IS ARRESTED FOR THE VIOLATION OR, IF AN  
18 ARREST WARRANT IS REISSUED, NOT MORE THAN 77 DAYS AFTER THE DATE  
19 THE REISSUED ARREST WARRANT IS SERVED.

20 (3) BEFORE ACCEPTING A PLEA OF GUILTY OR NOLO CONTENDERE  
21 UNDER SECTION 625, OR A LOCAL ORDINANCE SUBSTANTIALLY CORRESPOND-  
22 ING TO SECTION 625(1), (2), OR (3), THE COURT SHALL ADVISE THE  
23 ACCUSED OF THE MAXIMUM POSSIBLE TERM OF IMPRISONMENT AND THE MAX-  
24 IMUM POSSIBLE FINE THAT MAY BE IMPOSED FOR THE VIOLATION, AND  
25 SHALL ADVISE THE DEFENDANT THAT THE MAXIMUM POSSIBLE LICENSE  
26 SANCTIONS THAT MAY BE IMPOSED WILL BE BASED UPON THE MASTER

1 DRIVING RECORD MAINTAINED BY THE SECRETARY OF STATE PURSUANT TO  
2 SECTION 204A.

3 (4) ~~-(6)-~~ Before imposing sentence, OTHER THAN COURT-ORDERED  
4 LICENSE SANCTIONS, for a violation of ~~this~~ section 625(1), (3),  
5 (4), OR (5) or a local ordinance substantially corresponding to  
6 ~~this~~ section 625(1) OR (3), the court shall order the person to  
7 undergo screening and assessment by a person or agency designated  
8 by the office of substance abuse services, to determine whether  
9 the person is likely to benefit from rehabilitative services,  
10 including alcohol or drug education and alcohol or drug treatment  
11 programs. As part of the sentence, the court may order the  
12 person to participate in and successfully complete 1 or more  
13 appropriate rehabilitative programs. The person shall pay for  
14 the costs of the screening, assessment, and rehabilitative  
15 services.

16 ~~-(7) Before accepting a plea of guilty under this section,~~  
17 ~~the court shall advise the accused of the statutory consequences~~  
18 ~~possible as a result of a plea of guilty in respect to suspension~~  
19 ~~or revocation of an operator's or chauffeur's license, the pen-~~  
20 ~~alty imposed for violation of this section, and the limitation on~~  
21 ~~the right of appeal.~~

22 ~~-(8) The operator's or chauffeur's license of a person found~~  
23 ~~guilty of violating this section, or a local ordinance substan-~~  
24 ~~tially corresponding to this section, shall be surrendered to the~~  
25 ~~court in which the person was convicted. The court shall immedi-~~  
26 ~~ately forward the surrendered license and an abstract of~~  
27 ~~conviction to the secretary of state. The abstract of conviction~~

~~1 shall indicate the sentence imposed. Upon receipt of and  
2 pursuant to the abstract of conviction, the secretary of state  
3 shall suspend or revoke the person's license and, if ordered by  
4 the court and the person is otherwise eligible for a license,  
5 issue to the person a restricted license stating the limited  
6 driving privileges indicated on the abstract. If the license is  
7 not forwarded to the secretary of state, an explanation of the  
8 reason why the license is absent shall be attached. If the con-  
9 viction is appealed to circuit court, that court may, ex parte,  
10 order the secretary of state to rescind the suspension, revoca-  
11 tion, or restricted license issued pursuant to this section.~~

12 (5) IMMEDIATELY UPON ACCEPTANCE BY THE COURT OF A PLEA OF  
13 GUILTY OR NOLO CONTENDERE OR UPON ENTRY OF A VERDICT OF GUILTY  
14 FOR A VIOLATION OF SECTION 625(1), (3), (4), OR (5) OR A LOCAL  
15 ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR (3),  
16 WHETHER OR NOT THE PERSON IS ELIGIBLE TO BE SENTENCED AS A MULTI-  
17 PLE OFFENDER, THE COURT SHALL CONSIDER ALL PRIOR CONVICTIONS CUR-  
18 RENTLY ENTERED UPON THE MICHIGAN DRIVING RECORD OF THE PERSON,  
19 EXCEPT THOSE CONVICTIONS WHICH, UPON MOTION BY THE DEFENDANT, ARE  
20 DETERMINED BY THE COURT TO BE CONSTITUTIONALLY INVALID, AND SHALL  
21 IMPOSE THE FOLLOWING LICENSING SANCTIONS:

22 (A) FOR A CONVICTION UNDER SECTION 625(4) OR (5), THE COURT  
23 SHALL ORDER THE SECRETARY OF STATE TO REVOKE THE OPERATOR'S OR  
24 CHAUFFEUR'S LICENSE OF THE PERSON AND SHALL NOT ORDER THE SECRE-  
25 TARY OF STATE TO ISSUE A RESTRICTED LICENSE TO THE PERSON.

26 (B) FOR A CONVICTION UNDER SECTION 625(1) OR A LOCAL  
27 ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1):

1       (i) IF THE COURT FINDS THAT THE PERSON HAS NO PRIOR  
2 CONVICTIONS WITHIN 7 YEARS FOR A VIOLATION OF SECTION 625(1),  
3 (3), (4), OR (5), OR FORMER SECTION 625(1) OR (2), OR FORMER SEC-  
4 TION 625B, A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO SEC-  
5 TION 625(1) OR (3), OR FORMER SECTION 625(1) OR (2) OR FORMER  
6 SECTION 625B, OR A LAW OF ANOTHER STATE SUBSTANTIALLY CORRESPOND-  
7 ING TO SECTION 625(1), (3), (4), OR (5), OR FORMER SECTION 625(1)  
8 OR (2), OR FORMER SECTION 625B, THE COURT SHALL ORDER THE SECRE-  
9 TARY OF STATE TO SUSPEND THE OPERATOR'S OR CHAUFFEUR'S LICENSE OF  
10 THE PERSON FOR A PERIOD OF NOT LESS THAN 6 MONTHS OR MORE THAN  
11 2 YEARS. THE COURT MAY ORDER THE SECRETARY OF STATE TO ISSUE TO  
12 THE PERSON A RESTRICTED LICENSE DURING ALL OR A SPECIFIED PORTION  
13 OF THE PERIOD OF SUSPENSION, EXCEPT THAT A RESTRICTED LICENSE  
14 SHALL NOT BE ISSUED DURING THE FIRST 30 DAYS OF THE PERIOD OF  
15 SUSPENSION.

16       (ii) IF THE COURT FINDS THAT THE PERSON HAS 1 PRIOR CONVIC-  
17 TION WITHIN 7 YEARS FOR A VIOLATION OF SECTION 625(3) OR FORMER  
18 SECTION 625B, A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO  
19 SECTION 625(3) OR FORMER SECTION 625B, OR A LAW OF ANOTHER STATE  
20 SUBSTANTIALLY CORRESPONDING TO SECTION 625(3) OR FORMER  
21 SECTION 625B, THE COURT SHALL ORDER THE SECRETARY OF STATE TO  
22 SUSPEND THE OPERATOR'S OR CHAUFFEUR'S LICENSE OF THE PERSON FOR A  
23 PERIOD OF NOT LESS THAN 6 MONTHS OR MORE THAN 2 YEARS. THE COURT  
24 MAY ORDER THE SECRETARY OF STATE TO ISSUE TO THE PERSON A  
25 RESTRICTED LICENSE DURING ALL OR ANY PORTION OF THE PERIOD OF  
26 SUSPENSION, EXCEPT THAT A RESTRICTED LICENSE SHALL NOT BE ISSUED  
27 DURING THE FIRST 60 DAYS OF THE PERIOD OF SUSPENSION.

1       (iii) IF THE COURT FINDS THAT THE PERSON HAS 1 OR MORE PRIOR  
2 CONVICTIONS WITHIN 7 YEARS FOR A VIOLATION OF SECTION 625(1),  
3 (4), OR (5), OR FORMER SECTION 625(1) OR (2), A LOCAL ORDINANCE  
4 SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR FORMER SECTION  
5 625(1) OR (2), OR A LAW OF ANOTHER STATE SUBSTANTIALLY CORRE-  
6 SPONDING TO SECTION 625(1), (4), OR (5), OR FORMER SECTION 625(1)  
7 OR (2), OR THAT THE PERSON HAS 2 OR MORE PRIOR CONVICTIONS WITHIN  
8 10 YEARS FOR A VIOLATION OF SECTION 625(1), (3), (4), OR (5), OR  
9 FORMER SECTION 625(1) OR (2), OR FORMER SECTION 625B, A LOCAL  
10 ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR (3),  
11 OR FORMER SECTION 625(1) OR (2), OR FORMER SECTION 625B, OR A LAW  
12 OF ANOTHER STATE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1),  
13 (3), (4), OR (5), OR FORMER SECTION 625(1) OR (2), OR FORMER SEC-  
14 TION 625B, THE COURT SHALL ORDER THE SECRETARY OF STATE TO REVOKE  
15 THE OPERATOR'S OR CHAUFFEUR'S LICENSE OF THE PERSON AND SHALL NOT  
16 ORDER THE SECRETARY OF STATE TO ISSUE A RESTRICTED LICENSE TO THE  
17 PERSON.

18       (C) FOR A CONVICTION UNDER SECTION 625(3) OR A LOCAL ORDI-  
19 NANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(3):

20       (i) IF THE COURT FINDS THAT THE CONVICTED PERSON HAS NO  
21 PRIOR CONVICTION WITHIN 7 YEARS FOR A VIOLATION OF SECTION  
22 625(1), (3), (4), OR (5), OR FORMER SECTION 625(1) OR (2), OR  
23 FORMER SECTION 625B, A LOCAL ORDINANCE SUBSTANTIALLY CORRESPOND-  
24 ING TO SECTION 625(1) OR (3), OR FORMER SECTION 625(1) OR (2), OR  
25 FORMER SECTION 625B, OR A LAW OF ANOTHER STATE SUBSTANTIALLY COR-  
26 RESPONDING TO SECTION 625(1), (3), (4), OR (5), OR FORMER SECTION  
27 625(1) OR (2), OR FORMER SECTION 625B, THE COURT SHALL ORDER THE

1 SECRETARY OF STATE TO SUSPEND THE OPERATOR'S OR CHAUFFEUR'S  
2 LICENSE OF THE PERSON FOR A PERIOD OF NOT LESS THAN 90 DAYS OR  
3 MORE THAN 1 YEAR. THE COURT MAY ORDER THE SECRETARY OF STATE TO  
4 ISSUE TO THE PERSON A RESTRICTED LICENSE DURING ALL OR A SPECI-  
5 FIED PORTION OF THE PERIOD OF SUSPENSION.

6 (ii) IF THE COURT FINDS THAT THE PERSON HAS 1 PRIOR CONVIC-  
7 TION WITHIN 7 YEARS FOR A VIOLATION OF SECTION 625(1), (3), (4),  
8 OR (5), OR FORMER SECTION 625(1) OR (2), OR FORMER SECTION 625B,  
9 A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1)  
10 OR (3), OR FORMER SECTION 625(1) OR (2), OR FORMER SECTION 625B,  
11 OR A LAW OF ANOTHER STATE SUBSTANTIALLY CORRESPONDING TO SECTION  
12 625(1), (3), (4), OR (5), OR FORMER SECTION 625(1) OR (2), OR  
13 SECTION 625B, THE COURT SHALL ORDER THE SECRETARY OF STATE TO  
14 SUSPEND THE OPERATOR'S OR CHAUFFEUR'S LICENSE OF THE PERSON FOR A  
15 PERIOD OF NOT LESS THAN 6 MONTHS OR MORE THAN 2 YEARS. THE COURT  
16 MAY ORDER THE SECRETARY OF STATE TO ISSUE TO THE PERSON A  
17 RESTRICTED LICENSE DURING ALL OR ANY PORTION OF THE SUSPENSION  
18 PERIOD, EXCEPT THAT A RESTRICTED LICENSE SHALL NOT BE ISSUED  
19 DURING THE FIRST 60 DAYS OF THE PERIOD OF SUSPENSION.

20 (iii) IF THE COURT FINDS THAT THE PERSON HAS 2 OR MORE PRIOR  
21 CONVICTIONS WITHIN 10 YEARS FOR A VIOLATION OF SECTION 625(1),  
22 (3), (4), OR (5), OR FORMER SECTION 625(1) OR (2), OR FORMER SEC-  
23 TION 625B, A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO SEC-  
24 TION 625(1) OR (3), OR FORMER SECTION 625(1) OR (2), OR FORMER  
25 SECTION 625B, OR A LAW OF ANOTHER STATE SUBSTANTIALLY CORRESPOND-  
26 ING TO SECTION 625(1), (3), (4), OR (5), OR FORMER SECTION 625(1)  
27 OR (2), OR FORMER SECTION 625B, THE COURT SHALL ORDER THE

1 SECRETARY OF STATE TO REVOKE THE OPERATOR'S OR CHAUFFEUR'S  
2 LICENSE OF THE PERSON AND SHALL NOT ORDER THE SECRETARY OF STATE  
3 TO ISSUE A RESTRICTED LICENSE TO THE PERSON.

4 (6) A RESTRICTED LICENSE ISSUED PURSUANT TO AN ORDER UNDER  
5 SUBSECTION (5) SHALL PERMIT THE PERSON TO WHOM IT IS ISSUED TO DO  
6 1 OR MORE OF THE FOLLOWING:

7 (A) DRIVE TO AND FROM THE PERSON'S RESIDENCE AND WORK  
8 LOCATION.

9 (B) DRIVE IN THE COURSE OF THE PERSON'S EMPLOYMENT OR  
10 OCCUPATION.

11 (C) DRIVE TO AND FROM THE PERSON'S RESIDENCE AND AN ALCOHOL  
12 OR DRUG EDUCATION OR TREATMENT PROGRAM AS ORDERED BY THE COURT.

13 (D) DRIVE TO AND FROM THE PERSON'S RESIDENCE AND THE COURT  
14 PROBATION DEPARTMENT, OR A COURT-ORDERED COMMUNITY SERVICE PRO-  
15 GRAM, OR BOTH.

16 (E) DRIVE TO AND FROM THE PERSON'S RESIDENCE AND AN EDUCA-  
17 TIONAL INSTITUTION AT WHICH THE PERSON IS ENROLLED AS A STUDENT.

18 (7) THE COURT MAY ORDER THAT THE RESTRICTED LICENSE ISSUED  
19 PURSUANT TO SUBSECTION (5) INCLUDE THE REQUIREMENT THAT THE  
20 PERSON SHALL NOT OPERATE A MOTOR VEHICLE UNLESS THE VEHICLE IS  
21 EQUIPPED WITH A FUNCTIONING IGNITION INTERLOCK DEVICE. THE  
22 DEVICE SHALL BE SET TO RENDER THE MOTOR VEHICLE INOPERABLE IF THE  
23 DEVICE DETECTS A BLOOD ALCOHOL CONTENT OF 0.02% OR MORE BY WEIGHT  
24 OF ALCOHOL IN THE PERSON WHO OFFERS A BREATH SAMPLE. THE COURT  
25 MAY ORDER INSTALLATION OF AN IGNITION INTERLOCK DEVICE ON ANY  
26 MOTOR VEHICLE THAT THE PERSON OWNS OR OPERATES, THE COSTS OF  
27 WHICH SHALL BE BORNE BY THE PERSON WHOSE LICENSE IS RESTRICTED.



1       (8) THE COURT SHALL NOT ORDER THE SECRETARY OF STATE UNDER  
2 SUBSECTION (5) TO ISSUE A RESTRICTED LICENSE THAT WOULD PERMIT A  
3 PERSON TO OPERATE A TRUCK OR TRUCK TRACTOR, INCLUDING A TRAILER,  
4 THAT HAULS HAZARDOUS MATERIALS.

5       (9) THE COURT SHALL NOT ORDER THE SECRETARY OF STATE TO  
6 ISSUE A RESTRICTED LICENSE UNLESS THE PERSON STATES UNDER OATH,  
7 AND THE COURT FINDS PURSUANT TO TESTIMONY TAKEN IN OPEN COURT OR  
8 PURSUANT TO STATEMENTS CONTAINED IN A SWORN AFFIDAVIT ON A FORM  
9 PRESCRIBED BY THE STATE COURT ADMINISTRATOR, THAT THE PERSON IS  
10 UNABLE TO TAKE PUBLIC TRANSPORTATION TO AND FROM HIS OR HER WORK  
11 LOCATION, PLACE OF ALCOHOL OR DRUG EDUCATION TREATMENT,  
12 COURT-ORDERED COMMUNITY SERVICE PROGRAM, OR EDUCATIONAL INSTITU-  
13 TION, AND DOES NOT HAVE ANY FAMILY MEMBERS OR OTHER INDIVIDUALS  
14 ABLE TO PROVIDE TRANSPORTATION.

15       (10) THE COURT ORDER ISSUED UNDER SUBSECTION (5) AND THE  
16 RESTRICTED LICENSE SHALL INDICATE THE PERMITTED DESTINATION OF  
17 THE PERSON, THE APPROVED ROUTE OR ROUTES IF SPECIFIED BY THE  
18 COURT, AND PERMITTED TIMES OF TRAVEL.

19       (11) AS USED IN THIS SECTION, "WORK LOCATION" MEANS, AS  
20 APPLICABLE, EITHER THE SPECIFIC PLACE OR PLACES OF EMPLOYMENT, OR  
21 THE TERRITORY OR TERRITORIES REGULARLY VISITED BY THE PERSON IN  
22 PURSUANCE OF THE PERSON'S OCCUPATION, OR BOTH.

23       (12) IMMEDIATELY UPON ACCEPTANCE BY THE COURT OF A PLEA OF  
24 GUILTY OR NOLO CONTENDERE OR UPON ENTRY OF A VERDICT OF GUILTY  
25 FOR A VIOLATION OF SECTION 625(1), (3), (4), OR (5), OR A LOCAL  
26 ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625(1) OR (3),  
27 THE PERSON SHALL SURRENDER TO THE COURT HIS OR HER OPERATOR'S OR

1 CHAUFFEUR'S LICENSE OR PERMIT. THE COURT SHALL IMMEDIATELY  
 2 DESTROY THE LICENSE OR PERMIT AND FORWARD AN ABSTRACT OF CONVIC-  
 3 TION WITH COURT-ORDERED LICENSE SANCTIONS TO THE SECRETARY OF  
 4 STATE. UPON RECEIPT OF, AND PURSUANT TO, THE ABSTRACT OF CONVIC-  
 5 TION WITH COURT-ORDERED LICENSE SANCTIONS, THE SECRETARY OF STATE  
 6 SHALL SUSPEND OR REVOKE THE PERSON'S LICENSE AND, IF ORDERED BY  
 7 THE COURT AND THE PERSON IS OTHERWISE ELIGIBLE FOR A LICENSE,  
 8 ISSUE TO THE PERSON A RESTRICTED LICENSE STATING THE LIMITED  
 9 DRIVING PRIVILEGES INDICATED ON THE ABSTRACT. IF THE JUDGMENT  
 10 AND SENTENCE IS APPEALED TO CIRCUIT COURT, THE COURT MAY, EX  
 11 PARTE, ORDER THE SECRETARY OF STATE TO STAY THE SUSPENSION, REVO-  
 12 CATION, OR RESTRICTED LICENSE ISSUED PURSUANT TO THIS SECTION  
 13 PENDING THE OUTCOME OF THE APPEAL.

14 Section 2. This amendatory act shall take effect October 1,  
 15 1991.

16 Section 3. This amendatory act shall not take effect unless  
 17 all of the following bills of the 86th Legislature are enacted  
 18 into law:

19 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
 20 (request no. 01456'91 \*\*\*).

21 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
 22 (request no. 01458'91 \*\*\*).

23 (c) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
 24 (request no. 01459'91 \*\*\*).