



HOUSE BILL No. 5901

November 10, 1994, Introduced by Reps Gernaat, McBryde, Bodem, Lowe, Jersevic, Brackenridge, Horton Nye, Dolan London Dalman Rivers, Hammerstrom, Hill, Rhead, Stille Dobronski Voorhees Dobb, Jamian McManus and DeLange and referred to the Committee on Senior Citizens

A bill to amend section 307 of Act No 300 of the Public Acts of 1949, entitled as amended
'Michigan vehicle code,
as amended by Act No 181 of the Public Acts of 1990, being
section 257 307 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 307 of Act No 300 of the Public Acts of
2 1949, as amended by Act No 181 of the Public Acts of 1990, being
3 section 257 307 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 307 (1) An application for an operator's or
6 chauffeur s license shall be made upon a form furnished by the
7 secretary of state and shall contain all of the following

8 (a) For an operator's or chauffeur s license, full name,
9 date of birth, address of residence, height, eye color, and

1 signature of the applicant and other information required or
2 permitted on the license pursuant to this chapter

3 (b) For an operator's or chauffeur's license with a vehicle
4 group designation or indorsement, full name, social security
5 number date of birth address of residence, height, sex, and
6 signature of the applicant, and other information required or
7 permitted on the license pursuant to this chapter

8 (c) For an operator's or chauffeur's license with a vehicle
9 group designation or indorsement, the following certifications
10 made by the applicant

11 (i) That the applicant meets the applicable federal physical
12 driver qualification requirements pursuant to 49 C F R part 391
13 if the applicant operates or intends to operate in interstate
14 commerce or meets the applicable physical qualifications pursuant
15 to the rules promulgated by the department of state police under
16 the motor carrier safety act of 1963, Act No 181 of the Public
17 Acts of 1963, being sections 480 11 to 480 21 of the Michigan
18 Compiled Laws, if the applicant operates or intends to operate in
19 intrastate commerce

20 (ii) That the vehicle in which the applicant will take the
21 driving skills tests is representative of the type of vehicle the
22 applicant operates or intends to operate

23 (iii) That the applicant has not been convicted of an
24 offense as described in section 312f or 319b

25 (iv) That the applicant does not have a driver's license
26 from more than 1 state

1 (d) For an operator s or chauffeur s license with a vehicle
2 group designation or indorsement and for which the applicant
3 claims a waiver of the driving test as provided in section 312f,
4 the following additional certifications made by the applicant
5 concerning the 2-year period immediately prior to application

6 (i) That the applicant has not had more than 1 license

7 (ii) That the applicant has not had any license suspended,
8 revoked, or canceled

9 (iii) That the applicant has not been convicted of any
10 offense ~~listed~~ DESCRIBED in section 319b while operating a
11 motor vehicle

12 (iv) That the applicant has not been convicted of a moving
13 violation under state or local law relating to motor vehicle
14 traffic control arising in connection with a traffic accident

15 (v) That the applicant is regularly employed in a job
16 requiring the operation of a commercial motor vehicle

17 (vi) That the applicant qualifies under either of the
18 following

19 (A) Has passed a behind-the-wheel driving test given by a
20 state with a classified licensing and testing system and taken in
21 a representative vehicle for that applicant s driver s license
22 classification

23 (B) Has operated, for at least 2 years immediately preceding
24 application a vehicle representative of the commercial motor
25 vehicle group or passenger vehicle for which he or she is
26 applying Evidence shall be provided by the applicant s employer
27 or by the applicant if self-employed

1 (2) An applicant for an operator s or chauffeur s license
2 may be photographed at the time the application for the license
3 is made The secretary of state shall acquire by purchase or
4 lease the equipment for taking the photographs and shall furnish
5 the equipment to the local unit Equipment purchased or leased
6 pursuant to this section shall be acquired under standard pur-
7 chasing procedures of the department of management and budget
8 based on standards and specifications established by the secre-
9 tary of state Equipment shall not be purchased or leased until
10 an appropriation for the equipment has been made by the
11 legislature A photograph taken pursuant to this section shall
12 appear on the applicant's operator s or chauffeur's license only,
13 and the photograph, a copy of the photograph, or a negative of
14 the photograph shall not be retained by the secretary of state or
15 any other agency

16 (3) An application shall be signed and certified by the
17 applicant and shall be accompanied by the proper fee This fee
18 shall be collected by the examiner and forwarded to the secretary
19 of state with the application This fee shall be refunded to the
20 applicant if the license applied for is denied but the fee shall
21 not be refunded to an applicant who fails to complete the exami-
22 nation requirements of the secretary of state within 90 days
23 after the date of application for a license

24 (4) If an application is received from a person previously
25 licensed in another jurisdiction the secretary of state shall
26 request a copy of the applicant's record from the other
27 jurisdiction When received the driving record shall become a

1 part of the driver s record in this state with the same force and
2 effect as if it had been entered on the driver s record in this
3 state in the original instance If the application is for an
4 original, renewal, or change of a vehicle group designation or
5 indorsement, the secretary of state shall also check the
6 applicant's driving record with the national drivers register and
7 the United States department of transportation before issuance of
8 that group designation or indorsement

9 (5) Except for a vehicle group designation or indorsement
10 the secretary of state may issue a renewal operator's or
11 chauffeur's license for 1 additional 4-year period by mail The
12 secretary of state shall not issue a renewal license by mail
13 unless the licensee has a driving record that is free of convic-
14 tions and civil infraction determinations for the 48 months pre-
15 ceding renewal However, the secretary of state shall not refuse
16 to issue a renewal license by mail because of a conviction or
17 civil infraction determination for which fines and costs were
18 waived pursuant to section 901a or section 907 When a license
19 is renewed by mail, the secretary of state shall issue evidence
20 of renewal which shall be affixed to the previously issued
21 license to indicate the date the license expires in the future
22 This evidence of renewal shall be manufactured in the same manner
23 required for the operator s license in section 310

24 (6) AT THE TIME OF RENEWAL OF AN OPERATOR S OR CHAUFFEUR S
25 LICENSE OF A PERSON 65 YEARS OF AGE OR OLDER, THE SECRETARY OF
26 STATE SHALL PRESENT THE PERSON WITH A LIST OF ALTERNATIVE
27 TRANSPORTATION PROGRAMS AVAILABLE TO THE PERSON IN THE COUNTY IN

1 WHICH THE PERSON RESIDES THE LIST SHALL BE COMPILED BY THE
2 STATE TRANSPORTATION DEPARTMENT IN COOPERATION WITH THE COUNTY
3 AND FURNISHED TO THE SECRETARY OF STATE FOR DISTRIBUTION

4 (7) ~~-(6)-~~ Upon request, the secretary of state shall provide
5 an information manual to an applicant explaining how to obtain a
6 vehicle group designation or indorsement The manual shall con-
7 tain the information required pursuant to 49 C F R part 383