



# SENATE BILL No. 14

January 13, 1993, Introduced by Senator DI NELLO and referred to the Committee on Transportation and Tourism.

A bill to amend sections 307 and 310 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," section 307 as amended by Act No. 181 of the Public Acts of 1990 and section 310 as amended by Act No. 286 of the Public Acts of 1989, being sections 257.307 and 257.310 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 307 and 310 of Act No. 300 of the  
2 Public Acts of 1949, section 307 as amended by Act No. 181 of the  
3 Public Acts of 1990 and section 310 as amended by Act No. 286 of  
4 the Public Acts of 1989, being sections 257.307 and 257.310 of  
5 the Michigan Compiled Laws, are amended to read as follows:

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

4       (a) For an operator's or chauffeur's license, full name,  
5 SOCIAL SECURITY NUMBER, date of birth, address of residence,  
6 height, eye color, and signature of the applicant, and other  
7 information required or permitted on the license pursuant to this  
8 chapter.

9       (b) For an operator's or chauffeur's license with a vehicle  
10 group designation or indorsement, full name, social security  
11 number, date of birth, address of residence, height, sex, and  
12 signature of the applicant, and other information required or  
13 permitted on the license pursuant to this chapter.

14       (c) For an operator's or chauffeur's license with a vehicle  
15 group designation or indorsement, the following certifications  
16 made by the applicant:

17       (i) That the applicant meets the applicable federal physical  
18 driver qualification requirements pursuant to 49 C.F.R. part 391  
19 if the applicant operates or intends to operate in interstate  
20 commerce or meets the applicable physical qualifications pursuant  
21 to the rules promulgated by the department of state police under  
22 the motor carrier safety act of 1963, Act No. 181 of the Public  
23 Acts of 1963, being sections 480.11 to 480.21 of the Michigan  
24 Compiled Laws, if the applicant operates or intends to operate in  
25 intrastate commerce.

1       (ii) That the vehicle in which the applicant will take the  
2 driving skills tests is representative of the type of vehicle the  
3 applicant operates or intends to operate.

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

6       (iv) That the applicant does not have a driver's license  
7 from more than 1 state.

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

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

14       (ii) That the applicant has not had any license suspended,  
15 revoked, or canceled.

16       (iii) That the applicant has not been convicted of any  
17 offense listed in section 319b while operating a motor vehicle.

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

21       (v) That the applicant is regularly employed in a job  
22 requiring the operation of a commercial motor vehicle.

23       (vi) That the applicant qualifies under either of the  
24 following:

25       (A) Has passed a behind-the-wheel driving test given by a  
26 state with a classified licensing and testing system and taken in

1 a representative vehicle for that applicant's driver's license  
2 classification.

3 (B) Has operated, for at least 2 years immediately preceding  
4 application, a vehicle representative of the commercial motor  
5 vehicle group or passenger vehicle for which he or she is  
6 applying. Evidence shall be provided by the applicant's employer  
7 or by the applicant if self-employed.

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

23 (3) An application shall be signed and certified by the  
24 applicant and shall be accompanied by the proper fee. This fee  
25 shall be collected by the examiner and forwarded to the secretary  
26 of state with the application. This fee shall be refunded to the  
27 applicant if the license applied for is denied, but the fee shall

1 not be refunded to an applicant who fails to complete the  
2 examination requirements of the secretary of state within 90 days  
3 after the date of application for a license.

4       (4) If an application is received from a person previously  
5 licensed in another jurisdiction, the secretary of state shall  
6 request a copy of the applicant's record from the other  
7 jurisdiction. When received, the driving record shall become a  
8 part of the driver's record in this state with the same force and  
9 effect as if it had been entered on the driver's record in this  
10 state in the original instance. If the application is for an  
11 original, renewal, or change of a vehicle group designation or  
12 indorsement, the secretary of state shall also check the  
13 applicant's driving record with the national drivers register and  
14 the United States department of transportation before issuance of  
15 that group designation or indorsement.

16       (5) Except for a vehicle group designation or indorsement,  
17 the secretary of state may issue a renewal operator's or  
18 chauffeur's license for 1 additional 4-year period by mail. The  
19 secretary of state shall not issue a renewal license by mail  
20 unless the licensee has a driving record that is free of convic-  
21 tions and civil infraction determinations for the 48 months pre-  
22 ceding renewal. However, the secretary of state shall not refuse  
23 to issue a renewal license by mail because of a conviction or  
24 civil infraction determination for which fines and costs were  
25 waived pursuant to section 901a or section 907. When a license  
26 is renewed by mail, the secretary of state shall issue evidence  
27 of renewal which shall be affixed to the previously issued

1 license to indicate the date the license expires in the future.  
2 This evidence of renewal shall be manufactured in the same manner  
3 required for the operator's license in section 310.

4 (6) Upon request, the secretary of state shall provide an  
5 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.

8 Sec. 310. (1) The secretary of state shall issue to each  
9 person licensed as an operator, an operator's license, and to  
10 each person licensed as a chauffeur, a chauffeur's license. An  
11 applicant for a motorcycle indorsement under section 312a or a  
12 vehicle group designation or indorsement shall first qualify for  
13 an operator's or chauffeur's license before the indorsement or  
14 vehicle group designation application is accepted and processed.

15 (2) The license shall contain the distinguishing number per-  
16 manently assigned to the licensee and the name, SOCIAL SECURITY  
17 NUMBER, date of birth, address of residence, height, an imprinted  
18 photograph, and the signature of the licensee. The license shall  
19 be manufactured in a manner to prohibit as nearly as possible the  
20 ability to reproduce, alter, counterfeit, forge, or duplicate the  
21 license without ready detection. In addition, a license with a  
22 vehicle group designation shall contain the information required  
23 pursuant to 49 C.F.R. part 383.

24 (3) A person who intentionally reproduces, alters, counter-  
25 feits, forges, or duplicates a license photograph, the negative  
26 of the photograph, a license, or a part of a license, or who uses  
27 a license or photograph that has been reproduced, altered,

1 counterfeited, forged, or duplicated shall be punished as  
2 follows:

3       (a) If the intent of the reproduction, alteration, counter-  
4 feiting, forging, duplication, or use was to commit or aid in the  
5 commission of an offense punishable by imprisonment for 1 or more  
6 years, the person committing the reproduction, alteration, coun-  
7 terfeiting, forging, duplication, or use is guilty of a misde-  
8 meanor, punishable by imprisonment for a period equal to that  
9 which could be imposed for the commission of the offense the  
10 person had the intent to aid or commit. The court may also  
11 assess a fine of not more than \$10,000.00 against the person.

12       (b) If the intent of the reproduction, alteration, counter-  
13 feiting, forging, duplication, or use was to commit or aid in the  
14 commission of an offense punishable by imprisonment for not more  
15 than 1 year, the person committing the reproduction, alteration,  
16 counterfeiting, forging, duplication, or use is guilty of a mis-  
17 demeanor, punishable by imprisonment for not more than 1 year, or  
18 a fine of not more than \$1,000.00, or both.

19       (4) The secretary of state, upon determining after an exami-  
20 nation that an applicant is mentally and physically qualified to  
21 receive a license, may issue to that person a temporary driver's  
22 permit entitling the person while having the permit in his or her  
23 immediate possession to drive a motor vehicle upon the highway  
24 for a period not exceeding 60 days before issuance to the person  
25 of an operator's or chauffeur's license by the secretary of  
26 state.

1       (5) An operator or chauffeur may place on the reverse side  
2 of a license his or her blood type, immunization data, medication  
3 data, a statement that the licensee is deaf, or a statement that  
4 the licensee has made an anatomical gift pursuant to part 101 of  
5 the public health code, Act No. 368 of the Public Acts of 1978,  
6 being sections 333.10101 to 333.10109 of the Michigan Compiled  
7 Laws.

8       (6) The phrase "See reverse side for medical data, or anat-  
9 omical gift" followed by a box shall be printed on the front of  
10 the license. If the licensee places on the reverse side of the  
11 license any of the information described in subsection (5), an  
12 "X" shall be inserted in the box.

13       (7) If the applicant provides proof to the secretary of  
14 state that he or she is a minor who has been emancipated pursuant  
15 to Act No. 293 of the Public Acts of 1968, being sections 722.1  
16 to 722.6 of the Michigan Compiled Laws, the license on the  
17 reverse side shall bear the designation of the individual's eman-  
18 cipated status.