



# SENATE BILL No. 833

September 21, 1993, Introduced by Senator HOFFMAN and referred to the Committee on Transportation and Tourism.

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 SOCIAL SECURITY NUMBER, date of birth, address of residence,

1 height, eye color, and signature of the applicant, and other  
2 information required or permitted on the license pursuant to this  
3 chapter.

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

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

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

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

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

26 (iv) That the applicant does not have a driver's license  
27 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 in section 319b while operating a motor vehicle.

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

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

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

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

22 (B) Has operated, for at least 2 years immediately preceding  
23 application, a vehicle representative of the commercial motor  
24 vehicle group or passenger vehicle for which he or she is  
25 applying. Evidence shall be provided by the applicant's employer  
26 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) Upon request, the secretary of state shall provide an  
25 information manual to an applicant explaining how to obtain a  
26 vehicle group designation or indorsement. The manual shall  
27 contain the information required pursuant to 49 C.F.R. part 383.