

Act No. 102
Public Acts of 1996
Approved by the Governor
March 4, 1996
Filed with the Secretary of State
March 5, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Reps. Curtis, Harder, Cherry, Freeman, Clack and Leland

ENROLLED HOUSE BILL No. 4496

AN ACT to amend sections 204a and 207 of Act No. 300 of the Public Acts of 1949, entitled as amended "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," section 204a as amended by Act No. 359 of the Public Acts of 1993 and section 207 as amended by Act No. 398 of the Public Acts of 1980, being sections 257.204a and 257.207 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 204a and 207 of Act No. 300 of the Public Acts of 1949, section 204a as amended by Act No. 359 of the Public Acts of 1993 and section 207 as amended by Act No. 398 of the Public Acts of 1980, being sections 257.204a and 257.207 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 204a. (1) The secretary of state shall create and maintain a computerized central file that provides an individual, historical driving record for a person, including a nonresident, with respect to all of the following:

- (a) A license issued to the person under chapter 3.
- (b) A conviction or civil infraction determination entered against the person for a violation of this act or a local ordinance substantially corresponding to a provision of this act.
- (c) A failure of the person to comply with an order or judgment issued pursuant to section 907.
- (d) A cancellation, denial, revocation, suspension, or restriction of the person's operating privilege under this act.
- (e) An accident in which the person is involved.
- (f) A conviction of the person for an offense described in section 319e.
- (g) Any other information received by the secretary of state regarding the person that is required to be maintained as part of the person's driving record as provided by law.

(2) A secretary of state certified computer-generated or paper copy of an order, record, or paper maintained in the computerized central file of the secretary of state is admissible in evidence in the same manner as the original and is prima facie proof of the contents of and the facts stated in the original.

(3) An order, record, or paper generated by the computerized central file of the secretary of state may be certified electronically by the generating computer. The certification shall be a certification of the order, record, or paper as it appeared on a specific date.

(4) A court or the office of the clerk of a court of this state which is electronically connected by a terminal device to the computerized central file of the secretary of state may receive into and use as evidence in any case the computer-generated certified information obtained by the terminal device from the file. A duly authorized employee of a court of record of this state may order a record for an individual from a secretary of state computer terminal device located in, and under the control of, the court, and certify in writing that the document was produced from the terminal and that the document was not altered in any way.

Sec. 207. (1) An officer or employee designated by the secretary of state for the purpose of administering the motor vehicle laws shall administer oaths and acknowledge signatures without fee.

(2) The secretary of state and the officers designated by the secretary of state may prepare under the seal of the secretary of state and deliver upon request, a certified copy of a record maintained under this act and charge a fee as set forth in this act.

(3) A certified computer-generated or paper copy of a record maintained under this act shall be admissible in a proceeding in a court in the same manner as the original record and shall be prima facie evidence of the contents of and the facts stated on the record.

(4) An order, record, or paper generated by the computerized central file of the secretary of state may be certified electronically by the generating computer. The certification shall be a certification of the order, record, or paper as it appeared on a specific date.

(5) A court or the office of the clerk of a court of this state that is electronically connected by a terminal device to the computerized central file of the secretary of state may receive into and use as evidence in any case the computer-generated certified information obtained by the terminal device from the file. A duly authorized employee of a court of record of this state may order a record for an individual from a secretary of state computer terminal device located in, and under the control of, the court, and certify in writing that the document was produced from the terminal and that the document was not altered in any way.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.