



HOUSE BILL No. 4496

March 1, 1995, Introduced by Reps. Curtis, Harder, Cherry, Freeman, Clack and Leland and referred to the Committee on Transportation.

A bill to amend sections 204a and 207 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," 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:

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

6 Sec. 204a. (1) The secretary of state shall create and
7 maintain a COMPUTERIZED central file that ~~shall provide~~

1 PROVIDES an individual, historical driving record for a person,
2 including a nonresident, with respect to all of the following:

3 (a) A license issued to the person under chapter 3.

4 (b) A conviction or civil infraction determination entered
5 against the person for a violation of this act or a local ordi-
6 nance substantially corresponding to a provision of this act.

7 (c) A failure of the person to comply with an order or judg-
8 ment issued pursuant to section 907.

9 (d) A cancellation, denial, revocation, suspension, or
10 restriction of the person's operating privilege under this act.

11 (e) An accident in which the person is involved.

12 (f) A conviction of the person for an offense described in
13 section 319e.

14 (g) Any other information received by the secretary of state
15 regarding the person that is required to be maintained as part of
16 the person's driving record as provided by law.

17 (2) A SECRETARY OF STATE certified COMPUTER-GENERATED OR
18 PAPER copy of an order, record, or paper maintained in ~~this~~ THE
19 COMPUTERIZED CENTRAL file OF THE SECRETARY OF STATE is admissible
20 in evidence in ~~like~~ THE SAME manner as the original and is
21 prima facie proof of the CONTENTS OF AND THE facts stated in the
22 original.

23 (3) AN ORDER, RECORD, OR PAPER GENERATED BY THE COMPUTERIZED
24 CENTRAL FILE OF THE SECRETARY OF STATE MAY BE CERTIFIED ELECTRON-
25 ICALLY BY THE GENERATING COMPUTER. THE CERTIFICATION SHALL BE A
26 CERTIFICATION OF THE ORDER, RECORD, OR PAPER AS IT APPEARED ON A
27 SPECIFIC DATE.

1 (4) A COURT OR THE OFFICE OF THE CLERK OF A COURT OF THIS
2 STATE WHICH IS ELECTRONICALLY CONNECTED BY A TERMINAL DEVICE TO
3 THE COMPUTERIZED CENTRAL FILE OF THE SECRETARY OF STATE MAY
4 RECEIVE INTO AND USE AS EVIDENCE IN ANY CASE THE
5 COMPUTER-GENERATED CERTIFIED INFORMATION OBTAINED BY THE TERMINAL
6 DEVICE FROM THE FILE. A DULY AUTHORIZED EMPLOYEE OF A COURT OF
7 RECORD OF THIS STATE MAY ORDER A DRIVING RECORD FOR AN INDIVIDUAL
8 FROM A SECRETARY OF STATE COMPUTER TERMINAL DEVICE LOCATED IN,
9 AND UNDER THE CONTROL OF, THE COURT, AND CERTIFY IN WRITING THAT
10 THE DOCUMENT WAS PRODUCED FROM THE TERMINAL AND THAT THE DOCUMENT
11 WAS NOT ALTERED IN ANY WAY.

12 Sec. 207. (1) An officer or employee designated by the sec-
13 retary of state for the purpose of administering the motor vehi-
14 cle laws shall administer oaths and acknowledge signatures with-
15 out fee.

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

21 (3) A certified COMPUTER-GENERATED OR PAPER copy of a record
22 MAINTAINED UNDER THIS ACT shall be admissible in a proceeding in
23 a court in the same manner as the original record and shall be
24 prima facie evidence of the CONTENTS OF AND THE facts stated on
25 the record.

26 (4) AN ORDER, RECORD, OR PAPER GENERATED BY THE COMPUTERIZED
27 CENTRAL FILE OF THE SECRETARY OF STATE MAY BE CERTIFIED

1 ELECTRONICALLY BY THE GENERATING COMPUTER. THE CERTIFICATION
2 SHALL BE A CERTIFICATION OF THE ORDER, RECORD, OR PAPER AS IT
3 APPEARED ON A SPECIFIC DATE.

4 (5) A COURT OR THE OFFICE OF THE CLERK OF A COURT OF THIS
5 STATE THAT IS ELECTRONICALLY CONNECTED BY A TERMINAL DEVICE TO
6 THE COMPUTERIZED CENTRAL FILE OF THE SECRETARY OF STATE MAY
7 RECEIVE INTO AND USE AS EVIDENCE IN ANY CASE THE
8 COMPUTER-GENERATED CERTIFIED INFORMATION OBTAINED BY THE TERMINAL
9 DEVICE FROM THE FILE. A DULY AUTHORIZED EMPLOYEE OF A COURT OF
10 RECORD OF THIS STATE MAY ORDER A DRIVING RECORD FOR AN INDIVIDUAL
11 FROM A SECRETARY OF STATE COMPUTER TERMINAL DEVICE LOCATED IN,
12 AND UNDER THE CONTROL OF, THE COURT, AND CERTIFY IN WRITING THAT
13 THE DOCUMENT WAS PRODUCED FROM THE TERMINAL AND THAT THE DOCUMENT
14 WAS NOT ALTERED IN ANY WAY.