



HOUSE BILL No. 4887

May 24, 1995, Introduced by Rep. Dolan and referred to the Committee on Transportation.

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, A SPACE IN WHICH THE APPLICANT MAY
2 INDICATE WHETHER HE OR SHE WISHES TO MAKE A VOLUNTARY DONATION OF
3 \$1.00 FOR THE PROMOTION OF ORGAN TRANSPLANT DONATIONS, and other
4 information required or permitted on the license pursuant to this
5 chapter.

6 (b) For an operator's or chauffeur's license with a vehicle
7 group designation or indorsement, full name, social security
8 number, date of birth, address of residence, height, sex, and
9 signature of the applicant, A SPACE IN WHICH THE APPLICANT MAY
10 INDICATE WHETHER HE OR SHE WISHES TO MAKE A VOLUNTARY DONATION OF
11 \$1.00 FOR THE PROMOTION OF ORGAN TRANSPLANT DONATIONS, and other
12 information required or permitted on the license pursuant to this
13 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. THE SECRETARY OF
4 STATE SHALL DEPOSIT THE MONEY FROM VOLUNTARY DONATIONS RECEIVED
5 AND COLLECTED UNDER SUBSECTION (1)(A) OR (B) IN A SEPARATE
6 ACCOUNT IN THE GENERAL FUND. MONEY IN THIS SEPARATE ACCOUNT
7 SHALL BE USED TO FUND INFORMATIONAL PROGRAMS PERTAINING TO ORGAN
8 TRANSPLANTS. MONEY IN THIS SEPARATE ACCOUNT MAY BE DIRECTED TO A
9 FOUNDATION THAT HAS APPROPRIATE INFORMATION TO CARRY OUT THE PRO-
10 GRAMS DESCRIBED IN THIS SUBSECTION.

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

23 (5) Except for a vehicle group designation or indorsement,
24 the secretary of state may issue a renewal operator's or
25 chauffeur's license for 1 additional 4-year period by mail. The
26 secretary of state shall not issue a renewal license by mail
27 unless the licensee has a driving record that is free of

1 convictions and civil infraction determinations for the 48 months
2 preceding renewal. However, the secretary of state shall not
3 refuse to issue a renewal license by mail because of a conviction
4 or civil infraction determination for which fines and costs were
5 waived pursuant to section 901a or section 907. When a license
6 is renewed by mail, the secretary of state shall issue evidence
7 of renewal which shall be affixed to the previously issued
8 license to indicate the date the license expires in the future.
9 This evidence of renewal shall be manufactured in the same manner
10 required for the operator's license in section 310.

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