



HOUSE BILL No. 5873

May 9, 1996, Introduced by Rep. Brackenridge and referred to the Committee on Transportation.

A bill to amend section 208 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 449 of the Public Acts of 1994, being section 257.208 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 208 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 449 of the Public Acts of 1994, being
3 section 257.208 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 208. (1) Records of the department, other than those
6 declared by law to be confidential for the department's use,
7 shall be open to public inspection under rules the secretary of
8 state promulgates, ~~pursuant to~~ UNDER section 3 of the freedom

1 of information act, Act No. 442 of the Public Acts of 1976, being
2 section 15.233 of the Michigan Compiled Laws.

3 (2) Except as otherwise specified in this section, the sec-
4 retary of state may destroy any department records maintained on
5 file for 7 years, including the information contained in the cen-
6 tral file maintained under section 204a.

7 (3) Records of convictions of any offense for which points
8 are provided under section 320a(1)(a), (b), (c), or (g) ~~or~~
9 SHALL NOT BE DESTROYED AND THAT INFORMATION SHALL NOT BE ELIMI-
10 NATED FROM THE CENTRAL FILE MAINTAINED UNDER SECTION 204A.

11 (4) RECORDS OF POINTS ENTERED UNDER section 320a(9) may be
12 destroyed after being maintained on file for 10 years.

13 (5) ~~(4)~~ Records of stolen vehicles reported in section 253
14 may be destroyed after being maintained on file for the year of
15 entry plus 4 years.

16 (6) ~~(5)~~ Except as otherwise specified in this act, records
17 the secretary of state considers obsolete and of no further serv-
18 ice in carrying out the department's powers and duties may be
19 destroyed upon that determination.

20 (7) ~~(6)~~ If a record of suspension under section 321a does
21 not contain a conviction for a violation of section 904 or a
22 local ordinance substantially corresponding to section 904 during
23 the period of suspension, the secretary of state may destroy the
24 record 180 days after the suspension terminates or as provided in
25 subsections (2) to ~~(5)~~ (6).

26 (8) ~~(7)~~ The secretary of state may destroy a record of
27 receipt of the notice provided for in section 321a(3) after the

1 court involved informs the secretary of state that all
2 outstanding matters regarding section 321a(3) have been
3 resolved.

4 (9) ~~-(8)-~~ The secretary of state may destroy a record main-
5 tained ~~pursuant to~~ UNDER section 204a, 180 days after the non-
6 resident driver against whom a civil infraction determination is
7 entered complies with an order or judgment issued ~~pursuant to~~
8 UNDER section 907.