



SENATE BILL No. 1120

September 10, 1996, Introduced by Senator BOUCHARD and referred to the Committee on Transportation and Tourism.

A bill to amend sections 204a and 232 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

section 204a as amended by Act No. 102 of the Public Acts of 1996, being sections 257.204a and 257.232 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Section 1. Sections 204a and 232 of Act No. 300 of the Public Acts of 1949, section 204a as amended by Act No. 102 of the Public Acts of 1996, being sections 257.204a and 257.232 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:

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

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

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

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

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

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

12 (G) A REPORT OR EVALUATION OF THE PERSON'S PHYSICAL OR
13 MENTAL, OR BOTH, ABILITY TO OPERATE A MOTOR VEHICLE.

14 (H) ~~(g)~~ Any other information received by the secretary of
15 state regarding the person that is required to be maintained as
16 part of 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 the com-
19 puterized central file of the secretary of state is admissible in
20 evidence in the same manner as the original and is prima facie
21 proof of the contents of and the facts stated in the original.

22 (3) An order, record, or paper generated by the computerized
23 central file of the secretary of state may be certified electron-
24 ically by the generating computer. The certification shall be a
25 certification of the order, record, or paper as it appeared on a
26 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 record for an individual from a
8 secretary of state computer terminal device located in, and under
9 the control of, the court, and certify in writing that the docu-
10 ment was produced from the terminal and that the document was not
11 altered in any way.

12 Sec. 232. (1) The secretary of state shall furnish to
13 chiefs of police in cities of an estimated population of 10,000
14 or more and to sheriffs of counties, a list of the motor vehicle
15 registrations and such information relating thereto as may be
16 necessary. The secretary of state ~~is hereby authorized to~~ MAY
17 sell any surplus lists ~~he may publish~~ PUBLISHED BY THE SECRE-
18 TARY OF STATE, and fix a reasonable price ~~therefor, the~~ FOR THE
19 SALES. THE proceeds ~~of such~~ FROM THE sales ~~to be added~~ SHALL
20 BE CREDITED to the ~~state highway~~ MICHIGAN TRANSPORTATION fund.
21 ~~provided for herein.~~

22 (2) The secretary of state ~~is hereby authorized to~~ MAY
23 sell, or contract for the sale of, any motor vehicle registration
24 lists in addition to those distributed at no cost under this sec-
25 tion and, ~~to~~ EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, MAY sell
26 or furnish any other information from the records of the
27 department pertaining to the sale, ownership, and operation of

1 motor vehicles. The secretary of state shall fix a reasonable
2 price or charge for the sale of such lists or other information
3 and the proceeds therefrom shall be ~~added~~ CREDITED to the
4 ~~state highway fund provided for herein~~ MICHIGAN TRANSPORTATION
5 FUND.

6 (3) RECORDS OF THE DEPARTMENT DESCRIBED IN SECTION
7 204A(1)(G) ARE ONLY AVAILABLE TO THE SECRETARY OF STATE AND LAW
8 ENFORCEMENT AGENCIES.