

REPRINT

**SUBSTITUTE FOR
SENATE BILL NO. 458**

(As Passed the Senate April 30, 1998)

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 310 (MCL 257.310), as amended by 1996 PA
205.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 310. (1) The secretary of state shall issue AN
2 OPERATOR'S LICENSE to each person licensed as an operator ~~—an~~
3 ~~operator's license,~~ and A CHAUFFEUR'S LICENSE to each person
4 licensed as a chauffeur. ~~—, a chauffeur's license.~~ An applicant
5 for a motorcycle indorsement under section 312a or a vehicle
6 group designation or indorsement shall first qualify for an
7 operator's or chauffeur's license before the indorsement or vehi-
8 cle group designation application is accepted and processed.

1 (2) The license ISSUED UNDER SUBSECTION (1) shall contain
2 ALL OF the following information:

3 (a) The distinguishing number permanently assigned to the
4 licensee.

5 (b) The full name, date of birth, address of residence,
6 height, eye color, sex, an image, and the signature of the
7 licensee.

8 (c) An indication that the license contains 1 or more of the
9 following:

10 (i) The blood type of the licensee.

11 (ii) Immunization data of the licensee.

12 (iii) Medication data of the licensee.

13 (iv) A statement that the licensee is deaf.

14 (v) A statement that the licensee ~~has made an anatomical~~
15 ~~gift~~ IS AN ORGAN AND TISSUE DONOR PURSUANT TO PART 101 OF THE
16 PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.10101 TO 333.10109.

17 (vi) Emergency contact information of the licensee.

18 (D) [IF THE LICENSEE HAS MADE A STATEMENT DESCRIBED IN
SUBDIVISION (C)(v),] THE SIGNATURE OF THE LICENSEE FOLLOWING THE
INDICATION

19 OF HIS OR HER ORGAN AND TISSUE DONOR INTENT IDENTIFIED IN
20 SUBDIVISION (C)(v), ALONG WITH THE SIGNATURE OF AT LEAST 1
21 WITNESS.

22 (3) Except as otherwise required in this chapter, other
23 information required on the license pursuant to this chapter may
24 appear on the license in a form prescribed by the secretary of
25 state.

26 (4) The license shall not contain a fingerprint or finger
27 image of the licensee.

1 (5) A digitized license may contain an identifier for voter
2 registration purposes. The digitized license may contain infor-
3 mation appearing in electronic or machine readable codes needed
4 to conduct a transaction with the secretary of state. The infor-
5 mation shall be limited to the person's driver license number,
6 birth date, license expiration date, and other information neces-
7 sary for use with electronic devices, machine readers, or auto-
8 matic teller machines and shall not contain the person's name,
9 address, driving record, or other personal identifier. The
10 license shall identify the encoded information.

11 (6) The license shall be manufactured in a manner to pro-
12 hibit as nearly as possible the ability to reproduce, alter,
13 counterfeit, forge, or duplicate the license without ready
14 detection. In addition, a license with a vehicle group designa-
15 tion shall contain the information required pursuant to
16 49 C.F.R. part 383.

17 (7) A person who intentionally reproduces, alters, counter-
18 feits, forges, or duplicates a license photograph, the negative
19 of the photograph, an image, a license, the electronic data con-
20 tained on a license or a part of a license, or who uses a
21 license, an image, or photograph that has been reproduced,
22 altered, counterfeited, forged, or duplicated is subject to 1 of
23 the following:

24 (a) If the intent of the reproduction, alteration, counter-
25 feiting, forging, duplication, or use was to commit or aid in the
26 commission of an offense punishable by imprisonment for 1 or more
27 years, the person committing the reproduction, alteration,

1 counterfeiting, forging, duplication, or use is guilty of a
2 misdemeanor, punishable by imprisonment for a period equal to the
3 imprisonment that could be imposed for the commission of the
4 offense the person had the intent to aid or commit. The court
5 may also assess a fine of not more than \$10,000.00 against the
6 person.

7 (b) If the intent of the reproduction, alteration, counter-
8 feiting, forging, duplication, or use was to commit or aid in the
9 commission of an offense punishable by imprisonment for not more
10 than 1 year, the person committing the reproduction, alteration,
11 counterfeiting, forging, duplication, or use is guilty of a mis-
12 demeanor, punishable by imprisonment for not more than 1 year, or
13 a fine of not more than \$1,000.00, or both.

14 (8) The secretary of state, upon determining after an exami-
15 nation that an applicant is mentally and physically qualified to
16 receive a license, may issue to that person a temporary driver's
17 permit entitling the person while having the permit in his or her
18 immediate possession to drive a motor vehicle upon the highway
19 for a period not exceeding 60 days before issuance to the person
20 of an operator's or chauffeur's license by the secretary of
21 state.

22 (9) An operator or chauffeur may indicate on the license in
23 a place designated by the secretary of state his or her blood
24 type, emergency contact information, immunization data, medica-
25 tion data, OR a statement that the licensee is deaf, or a state-
26 ment that the licensee IS AN ORGAN AND TISSUE DONOR AND has made
27 an anatomical gift pursuant to part 101 of the public health

1 code, ~~Act No. 368 of the Public Acts of 1978, being sections~~
2 ~~333.10101 to 333.10109 of the Michigan Compiled Laws~~ 1978 PA
3 368, MCL 333.10101 TO 333.10109.

4 (10) If the applicant provides proof to the secretary of
5 state that he or she is a minor who has been emancipated pursuant
6 to ~~Act No. 293 of the Public Acts of 1968, being sections 722.1~~
7 ~~to 722.6 of the Michigan Compiled Laws~~ 1968 PA 293, MCL 722.1 TO
8 722.6, the license shall bear the designation of the individual's
9 emancipated status in a manner prescribed by the secretary of
10 state.

11 Enacting section 1. This amendatory act does not take
12 effect unless all of the following bills of the 89th Legislature
13 are enacted into law:

14 (a) House Bill No. 4031.

15 (b) House Bill No. 4620.