

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 856 (Substitute S-1 as reported)

Sponsor: Senator Mike Goschka

Committee: Judiciary

CONTENT

The bill would amend the Michigan Vehicle Code to make various revisions pertaining to repeat violations of drunk driving or driving without a valid license.

The bill would prohibit a person from buying, leasing, or otherwise acquiring a motor vehicle during a period of suspension, revocation, or denial if the person's driver's license were suspended, revoked, or denied for a third or subsequent drunk driving violation or a fourth or subsequent offense of driving while a license was suspended, revoked, or denied. A violation of this prohibition would be a misdemeanor punishable by up to 93 days' imprisonment, a maximum fine of \$100, or both. This provision would take effect on June 1, 2000.

The Code provides for vehicle immobilization for certain drunk driving offenses and violations of driving while a license is suspended, revoked, or denied. The bill specifies that immobilization would not apply to a vehicle owned by the Federal government, the State, or a local unit of government, or to a vehicle not subject to registration under the Code.

The bill would delete a provision requiring the Secretary of State to refuse to issue a certificate of title or a salvage certificate of title if the driver's license of the owner or co-owner or lessee or co-lessee is suspended, revoked, or denied or the operator has never been licensed in Michigan because of a third or subsequent drunk driving offense or a fourth or subsequent offense of driving while a license is suspended, revoked, or denied. Another provision of the Code requires the Secretary of State to refuse to issue a registration or a transfer of registration to such a person. The bill would require that a certificate of title include on its face whether the vehicle's owner or co-owner or lessee or co-lessee was subject to that registration denial.

The bill is tie-barred to Senate Bills 831 through 834 and 855.

MCL 257.219 et al.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government.

The bill would establish misdemeanor penalties for an individual who acquired a vehicle while his or her license was suspended. Local units of government would receive the fine revenue and/or pay the cost of incarceration. There are no data to indicate how many people could be subject to conviction under these sections, and the cost of incarceration varies from county to county.

Because the number of individuals who could fall under the purview of these provisions is unknown, the fiscal impact on the Department of State is indeterminate.

Date Completed: 11-2-99

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Analysis available @ <http://www.michiganlegislature.org>

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