

SENATE BILL No. 1066

March 8, 2000, Introduced by Senators MILLER, BYRUM, YOUNG, DE BEAUSSAERT, KOIVISTO, PETERS, STEIL, MC COTTER, MC MANUS, ROGERS and LELAND and referred to the Committee on Transportation and Tourism.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 310 and 313 (MCL 257.310 and 257.313), section 310 as amended by 1998 PA 226 and section 313 as amended by 1991 PA 99.

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 and a
3 chauffeur's license to each person licensed as a chauffeur. An
4 applicant for a motorcycle indorsement under section 312a or a
5 vehicle group designation or indorsement shall first qualify for
6 an operator's or chauffeur's license before the indorsement or
7 vehicle group designation application is accepted and processed.

8 (2) The license issued under subsection (1) shall contain
9 all of the following information:

1 (a) The distinguishing number permanently assigned to the
2 licensee. HOWEVER, IF AN OPERATOR'S OR CHAUFFEUR'S LICENSE
3 ISSUED UNDER THIS ACT IS STOLEN AND USED TO COMMIT A FRAUDULENT
4 ACT AS DESCRIBED IN SECTION 313, THE REPLACEMENT LICENSE ISSUED
5 TO THE PERSON SHALL CONTAIN A NEW DISTINGUISHING NUMBER ASSIGNED
6 BY THE SECRETARY OF THE STATE.

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

10 (c) An indication that the license contains 1 or more of the
11 following:

12 (i) The blood type of the licensee.

13 (ii) Immunization data of the licensee.

14 (iii) Medication data of the licensee.

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

16 (v) A statement that the licensee is an organ and tissue
17 donor pursuant to part 101 of the public health code, 1978 PA
18 368, MCL 333.10101 to 333.10109.

19 (vi) Emergency contact information of the licensee.

20 (d) If the licensee has made a statement described in
21 subdivision (c)(v), the signature of the licensee following the
22 indication of his or her organ and tissue donor intent identified
23 in subdivision (c)(v), along with the signature of at least 1
24 witness.

25 (3) Except as otherwise required in this chapter, other
26 information required on the license pursuant to this chapter may

1 appear on the license in a form prescribed by the secretary of
2 state.

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

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

15 (6) The license shall be manufactured in a manner to pro-
16 hibit as nearly as possible the ability to reproduce, alter,
17 counterfeit, forge, or duplicate the license without ready
18 detection. In addition, a license with a vehicle group designa-
19 tion shall contain the information required pursuant to
20 49 C.F.R. part 383.

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

1 (a) If the intent of the reproduction, alteration,
2 counterfeiting, forging, duplication, or use was to commit or aid
3 in the commission of an offense punishable by imprisonment for 1
4 or more years, the person committing the reproduction, alter-
5 ation, counterfeiting, forging, duplication, or use is guilty of
6 a misdemeanor, punishable by imprisonment for a period equal to
7 the imprisonment that could be imposed for the commission of the
8 offense the person had the intent to aid or commit. The court
9 may also assess a fine of not more than \$10,000.00 against the
10 person.

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

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

26 (9) An operator or chauffeur may indicate on the license in
27 a place designated by the secretary of state his or her blood

1 type, emergency contact information, immunization data,
2 medication data, ~~or~~ a statement that the licensee is deaf, or a
3 statement that the licensee is an organ and tissue donor and has
4 made an anatomical gift pursuant to part 101 of the public health
5 code, 1978 PA 368, MCL 333.10101 to 333.10109.

6 (10) If the applicant provides proof to the secretary of
7 state that he or she is a minor who has been emancipated pursuant
8 to 1968 PA 293, MCL 722.1 to 722.6, the license shall bear the
9 designation of the individual's emancipated status in a manner
10 prescribed by the secretary of state.

11 Sec. 313. (1) Except as OTHERWISE provided in
12 ~~subsection (2)~~ THIS SECTION, if an operator's or chauffeur's
13 license issued under this ~~chapter~~ ACT is lost, destroyed, or
14 mutilated, or becomes illegible, the person to whom the license
15 was issued may obtain a duplicate upon the payment of the fee
16 required in section 812, upon furnishing proof satisfactory to
17 the secretary of state that the license has been lost, destroyed,
18 or mutilated, or has become illegible, and upon certifying that
19 the license is not being held by a court as a condition of that
20 person's recognizance.

21 (2) Subsection (1) does not apply if the operator's or
22 chauffeur's license is destroyed pursuant to ~~section 625b(12)~~
23 ~~or~~ section 625g(1)(b)(iii) OR, UNTIL OCTOBER 1, 1999, SECTION
24 625B(12).

25 (3) IF AN OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED UNDER
26 THIS ACT IS STOLEN AND USED TO COMMIT A FRAUDULENT ACT, THE
27 PERSON TO WHOM THE LICENSE WAS ISSUED MAY OBTAIN A REPLACEMENT

1 LICENSE WITH A NEW DISTINGUISHING NUMBER FROM THE SECRETARY OF
2 STATE UNDER SECTION 310 WITHOUT PAYMENT OF THE FEE SPECIFIED IN
3 SECTION 812 WITHIN 10 DAYS AFTER FURNISHING THE SECRETARY OF
4 STATE WITH A COPY OF A REPORT FROM THE LOCAL LAW ENFORCEMENT
5 AGENCY VERIFYING THAT THE LICENSE WAS STOLEN AND USED TO COMMIT A
6 FRAUDULENT ACT.