

HOUSE BILL No. 5148

(As passed the Senate, December 12, 2001)

October 9, 2001, Introduced by Reps. Allen, Spade, Birkholz, Sanborn, Ruth Johnson, Rivet, Mead, Ehardt and Tabor and referred to the Committee on Health Policy.

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

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:

HB 5148, As Passed Senate, December 12, 2001

2

1 (a) The distinguishing number permanently assigned to the
2 licensee.

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

6 (c) An indication that the license contains 1 or more of the
7 following:

8 (i) The blood type of the licensee.

9 (ii) Immunization data of the licensee.

10 (iii) Medication data of the licensee.

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

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

15 (vi) Emergency contact information of the licensee.

16 (vii) A STICKER OR DECAL AS SPECIFIED BY THE SECRETARY OF
17 STATE TO INDICATE THAT THE LICENSEE HAS DESIGNATED 1 OR MORE
18 PATIENT ADVOCATES IN ACCORDANCE WITH SECTION 5506 OF THE ESTATES
19 AND PROTECTED INDIVIDUALS CODE, 1998 PA 386, MCL 700.5506, OR A
20 STATEMENT THAT THE LICENSEE CARRIES AN EMERGENCY MEDICAL INFORMA-
21 TION CARD.

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

1 (E) THE STICKER OR DECAL DESCRIBED IN SUBDIVISION (C)(vii)
2 MAY BE PROVIDED BY ANY PERSON, HOSPITAL, SCHOOL, MEDICAL GROUP,
3 OR ASSOCIATION INTERESTED IN ASSISTING IN IMPLEMENTING THE EMER-
4 GENCY MEDICAL INFORMATION CARD, BUT SHALL MEET THE SPECIFICATIONS
5 OF THE SECRETARY OF STATE. THE EMERGENCY MEDICAL INFORMATION
6 CARD MAY CONTAIN THE INFORMATION DESCRIBED IN SUBDIVISION
7 (C)(vi), INFORMATION CONCERNING THE LICENSEE'S PATIENT ADVOCATE
8 DESIGNATION, OTHER EMERGENCY MEDICAL INFORMATION, OR AN INDICA-
9 TION AS TO WHERE THE LICENSEE HAS STORED OR REGISTERED EMERGENCY
10 MEDICAL INFORMATION.

11 (3) Except as otherwise required in this chapter, other
12 information required on the license pursuant to this chapter may
13 appear on the license in a form prescribed by the secretary of
14 state.

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

17 (5) A digitized license may contain an identifier for voter
18 registration purposes. The digitized license may contain infor-
19 mation appearing in electronic or machine readable codes needed
20 to conduct a transaction with the secretary of state. The infor-
21 mation shall be limited to the person's driver license number,
22 birth date, license expiration date, and other information neces-
23 sary for use with electronic devices, machine readers, or auto-
24 matic teller machines and shall not contain the person's name,
25 address, driving record, or other personal identifier. The
26 license shall identify the encoded information.

HB 5148, As Passed Senate, December 12, 2001

4

1 (6) The license shall be manufactured in a manner to
2 prohibit as nearly as possible the ability to reproduce, alter,
3 counterfeit, forge, or duplicate the license without ready
4 detection. In addition, a license with a vehicle group designa-
5 tion shall contain the information required pursuant to
6 49 C.F.R. part 383.

7 (7) A person who intentionally reproduces, alters, counter-
8 feits, forges, or duplicates a license photograph, the negative
9 of the photograph, an image, a license, the electronic data con-
10 tained on a license or a part of a license, or who uses a
11 license, an image, or photograph that has been reproduced,
12 altered, counterfeited, forged, or duplicated is subject to 1 of
13 the following:

14 (a) If the intent of the reproduction, alteration, counter-
15 feiting, forging, duplication, or use was to commit or aid in the
16 commission of an offense punishable by imprisonment for 1 or more
17 years, the person committing the reproduction, alteration, coun-
18 terfeiting, forging, duplication, or use is guilty of a misde-
19 meanor, punishable by imprisonment for a period equal to the
20 imprisonment that could be imposed for the commission of the
21 offense the person had the intent to aid or commit. The court
22 may also assess a fine of not more than \$10,000.00 against the
23 person.

24 (b) 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 not more
27 than 1 year, the person committing the reproduction, alteration,

HB 5148, As Passed Senate, December 12, 2001

5

1 counterfeiting, forging, duplication, or use is guilty of a
2 misdemeanor, punishable by imprisonment for not more than 1 year,
3 or a fine of not more than \$1,000.00, or both.

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

12 (9) An operator or chauffeur may indicate on the license in
13 a place designated by the secretary of state his or her blood
14 type, emergency contact information, immunization data, medica-
15 tion data, or a statement that the licensee is deaf, or a state-
16 ment that the licensee is an organ and tissue donor and has made
17 an anatomical gift pursuant to part 101 of the public health
18 code, 1978 PA 368, MCL 333.10101 to 333.10109.

19 (10) AN OPERATOR OR CHAUFFEUR MAY INDICATE ON THE LICENSE IN
20 A PLACE DESIGNATED BY THE SECRETARY OF STATE THAT HE OR SHE HAS
21 DESIGNATED A PATIENT ADVOCATE IN ACCORDANCE WITH SECTIONS 5506 TO
22 5513 OF THE ESTATES AND PROTECTED INDIVIDUALS CODE, 1998 PA 386,
23 MCL 700.5506 TO 700.5513.

24 (11) ~~-(10)-~~ If the applicant provides proof to the secretary
25 of state that he or she is a minor who has been emancipated pur-
26 suant to 1968 PA 293, MCL 722.1 to 722.6, the license shall bear

HB 5148, As Passed Senate, December 12, 2001

6

1 the designation of the individual's emancipated status in a
2 manner prescribed by the secretary of state.