

**SUBSTITUTE FOR
HOUSE BILL NO. 5873**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 310 (MCL 257.310), as amended by 2003 PA
152.

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 Beginning on and after July 1, 2003, an original license or the
9 first renewal of an existing license issued to a person less than
10 21 years of age shall be portrait or vertical in form and a

1 license issued to a person 21 years of age or over shall be
2 landscape or horizontal in form.

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

5 (a) The distinguishing number permanently assigned to the
6 licensee.

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~~
18 ~~PA 368, MCL 333.10101 to 333.10109.~~

19 (v) ~~-(vi)-~~ Emergency contact information of the licensee.

20 (vi) ~~-(vii)-~~ A sticker or decal as specified by the secretary
21 of state to indicate that the licensee has designated 1 or more
22 patient advocates in accordance with section 5506 of the estates
23 and protected individuals code, 1998 PA 386, MCL 700.5506, or a
24 statement that the licensee carries an emergency medical
25 information card.

26 ~~(d) If the licensee has made a statement described in~~
27 ~~subdivision (c)(v), the signature of the licensee following the~~

1 ~~indication of his or her organ and tissue donor intent identified~~
 2 ~~in subdivision (c)(v), along with the signature of at least 1~~
 3 ~~witness.~~

4 ~~—— (c) The sticker or decal described in subdivision (c)(vii)~~
 5 ~~may be provided by any person, hospital, school, medical group,~~
 6 ~~or association interested in assisting in implementing the~~
 7 ~~emergency medical information card, but shall meet the~~
 8 ~~specifications of the secretary of state. The emergency medical~~
 9 ~~information card may contain the information described in~~
 10 ~~subdivision (c)(vi), information concerning the licensee's~~
 11 ~~patient advocate designation, other emergency medical~~
 12 ~~information, or an indication as to where the licensee has stored~~
 13 ~~or registered emergency medical information.~~

14 **(e)** ~~—(f)—~~ Beginning July 1, 2003, in the case of a licensee
 15 who is less than 18 years of age at the time of issuance of the
 16 license, the date on which the licensee will become 18 years of
 17 age and 21 years of age.

18 **(f)** ~~—(g)—~~ Beginning July 1, 2003, in the case of a licensee
 19 who is at least 18 years of age but less than 21 years of age at
 20 the time of issuance of the license, the date on which the
 21 licensee will become 21 years of age.

22 **(g)** Beginning January 1, 2006, in the case of a licensee who
 23 has indicated his or her wish to participate in the organ and
 24 tissue donor registry pursuant to part 101 of the public health
 25 code, 1978 PA 368, MCL 333.10101 to 333.10109, a heart insignia
 26 on the front of the license, and the following on the back of the
 27 license: "A heart insignia on the front of this license

1 indicates that this person is a registered organ and tissue
2 donor. For registration or donation information call Gift of
3 Life Michigan: 1-800-482-4881."

4 (3) Except as otherwise required in this chapter, other
5 information required on the license ~~pursuant to~~ **under** this
6 chapter may appear on the license in a form prescribed by the
7 secretary of state.

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

10 (5) A digitized license may contain an identifier for voter
11 registration purposes. The digitized license may contain
12 information appearing in electronic or machine readable codes
13 needed to conduct a transaction with the secretary of state. The
14 information shall be limited to the person's driver license
15 number, birth date, license expiration date, and other
16 information necessary for use with electronic devices, machine
17 readers, or automatic teller machines and shall not contain the
18 person's name, address, driving record, or other personal
19 identifier. The license shall identify the encoded information.

20 (6) The license shall be manufactured in a manner to prohibit
21 as nearly as possible the ability to reproduce, alter,
22 counterfeit, forge, or duplicate the license without ready
23 detection. In addition, a license with a vehicle group
24 designation shall contain the information required ~~pursuant to~~
25 ~~49 C.F.R.~~ **under 49 CFR** part 383.

26 (7) A person who intentionally reproduces, alters,
27 counterfeits, forges, or duplicates a license photograph, the

1 negative of the photograph, an image, a license, or the
2 electronic data contained on a license or a part of a license or
3 who uses a license, an image, or photograph that has been
4 reproduced, altered, counterfeited, forged, or duplicated is
5 subject to 1 of the following:

6 (a) If the intent of the reproduction, alteration,
7 counterfeiting, forging, duplication, or use was to commit or aid
8 in the commission of an offense that is a felony punishable by
9 imprisonment for 10 or more years, the person committing the
10 reproduction, alteration, counterfeiting, forging, duplication,
11 or use is guilty of a felony, punishable by imprisonment for not
12 more than 10 years or a fine of not more than \$20,000.00, or
13 both.

14 (b) If the intent of the reproduction, alteration,
15 counterfeiting, forging, duplication, or use was to commit or aid
16 in the commission of an offense that is a felony punishable by
17 imprisonment for less than 10 years or a misdemeanor punishable
18 by imprisonment for 6 months or more, the person committing the
19 reproduction, alteration, counterfeiting, forging, duplication,
20 or use is guilty of a felony, punishable by imprisonment for not
21 more than 5 years, or a fine of not more than \$10,000.00, or
22 both.

23 (c) If the intent of the reproduction, alteration,
24 counterfeiting, forging, duplication, or use was to commit or aid
25 in the commission of an offense that is a misdemeanor punishable
26 by imprisonment for less than 6 months, the person committing the
27 reproduction, alteration, counterfeiting, forging, duplication,

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

4 (8) Except as provided in subsection (16), a person who
5 sells, or who possesses with the intent to deliver to another, a
6 reproduced, altered, counterfeited, forged, or duplicated license
7 photograph, negative of the photograph, image, license, or
8 electronic data contained on a license or part of a license is
9 guilty of a felony punishable by imprisonment for not more than 5
10 years or a fine of not more than \$10,000.00, or both.

11 (9) Except as provided in subsection (16), a person who is in
12 possession of 2 or more reproduced, altered, counterfeited,
13 forged, or duplicated license photographs, negatives of the
14 photograph, images, licenses, or electronic data contained on a
15 license or part of a license is guilty of a felony punishable by
16 imprisonment for not more than 5 years or a fine of not more than
17 \$10,000.00, or both.

18 (10) Except as provided in subsection (16), a person who is
19 in possession of a reproduced, altered, counterfeited, forged, or
20 duplicated license photograph, negative of the photograph, image,
21 license, or electronic data contained on a license or part of a
22 license is guilty of a misdemeanor punishable by imprisonment for
23 not more than 1 year or a fine of not more than \$2,000.00, or
24 both.

25 (11) Subsections (7)(a) and (b), (8), and (9) do not apply to
26 a minor whose intent is to violate section 703 of the Michigan
27 liquor control code of 1998, 1998 PA 58, MCL 436.1703.

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

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

16 (14) An operator or chauffeur may indicate on the license in
17 a place designated by the secretary of state that he or she has
18 designated a patient advocate in accordance with sections 5506 to
19 5513 of the estates and protected individuals code, 1998 PA 386,
20 MCL 700.5506 to 700.5513.

21 (15) If the applicant provides proof to the secretary of
22 state that he or she is a minor who has been emancipated
23 ~~pursuant to~~ **under** 1968 PA 293, MCL 722.1 to 722.6, the license
24 shall bear the designation of the individual's emancipated status
25 in a manner prescribed by the secretary of state.

26 (16) Subsections (8), (9), and (10) do not apply to a person
27 who is in possession of 1 or more photocopies, reproductions, or

1 duplications of a license to document the identity of the
2 licensee for a legitimate business purpose.

3 (17) The sticker or decal described in subsection (2)(c)(vi)
4 may be provided by any person, hospital, school, medical group,
5 or association interested in assisting in implementing the
6 emergency medical information card, but shall meet the
7 specifications of the secretary of state. The emergency medical
8 information card may contain the information described in
9 subsection (2)(c)(v), information concerning the licensee's
10 patient advocate designation, other emergency medical
11 information, or an indication as to where the licensee has stored
12 or registered emergency medical information.

13 (18) Beginning January 1, 2006, the secretary of state shall
14 inquire of each licensee, in person or by mail, if the licensee
15 agrees to participate in the organ and tissue donor registry
16 pursuant to part 101 of the public health code, 1978 PA 368, MCL
17 333.10101 to 333.10109, and shall electronically transfer the
18 following information concerning each licensee who indicates, in
19 a manner prescribed by the secretary of state, his or her
20 agreement to participate in that registry to the federally
21 designated organ procurement organization:

22 (a) Date of birth.

23 (b) First name, middle name or middle initial, if any, and
24 last name.

25 (c) Street address, city, state, and zip code.

26 (19) A licensee who has agreed to participate in the tissue
27 donor registry pursuant to part 101 of the public health code,

House Bill No. 5873 (H-1) as amended December 2, 2004

1 1978 PA 368, MCL 333.10101 to 333.10109, under subsection (18)
2 shall not be considered to have revoked that agreement solely
3 because the licensee's license has been revoked, suspended, or
4 expired.

[Enacting section 1. This amendatory act takes effect January 1,
2006.]