

# HOUSE BILL No. 5873

May 12, 2004, Introduced by Reps. Gleason, Sheltroun, Bieda, Condino, Spade, Vagnozzi, Murphy, O'Neil, Sak, Plakas, Meisner, Voorhees, Gillard, Tobocman, Smith, Hood, Farrah, Clack, Dennis, Stallworth, Gielegem, Woodward, Jamnick, Adamini, Stakoe, Minore, Accavitti, Cheeks, Phillips, Waters, Byrum, McConico, Zelenko, Hune, Whitmer, Brown, LaSata, Ehardt, Gaffney, Hopgood, Palsrok, Newell, Sheen, DeRoche, Wenke, Howell, Caul, Middaugh, Pumford, Hardman, Van Regenmorter, Acciavatti, Casperson, Stahl, Pastor, Vander Veen, Shaffer, Emmons, Richardville, Milosch, Huizenga, Mortimer, Shulman and Amos and referred to the Committee on Transportation.

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 (vi) Emergency contact information of the licensee.

20 (vii) A sticker or decal as specified by the secretary of  
21 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~~ **both of the following:**

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

5        **(ii) A heart insignia on the front of the license.**

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

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

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

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

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

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

13           (6) The license shall be manufactured in a manner to prohibit  
14 as nearly as possible the ability to reproduce, alter,  
15 counterfeit, forge, or duplicate the license without ready  
16 detection. In addition, a license with a vehicle group  
17 designation shall contain the information required ~~pursuant to~~  
18 ~~49 C.F.R.~~ **under 49 CFR** part 383.

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

26           (a) If the intent of the reproduction, alteration,  
27 counterfeiting, forging, duplication, or use was to commit or aid

1 in the commission of an offense that is a felony punishable by  
2 imprisonment for 10 or more years, the person committing the  
3 reproduction, alteration, counterfeiting, forging, duplication,  
4 or use is guilty of a felony, punishable by imprisonment for not  
5 more than 10 years or a fine of not more than \$20,000.00, or  
6 both.

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

16 (c) If the intent of the reproduction, alteration,  
17 counterfeiting, forging, duplication, or use was to commit or aid  
18 in the commission of an offense that is a misdemeanor punishable  
19 by imprisonment for less than 6 months, the person committing the  
20 reproduction, alteration, counterfeiting, forging, duplication,  
21 or use is guilty of a misdemeanor punishable by imprisonment for  
22 not more than 1 year or a fine of not more than \$2,000.00, or  
23 both.

24 (8) Except as provided in subsection (16), a person who  
25 sells, or who possesses with the intent to deliver to another, a  
26 reproduced, altered, counterfeited, forged, or duplicated license  
27 photograph, negative of the photograph, image, license, or

1 electronic data contained on a license or part of a license is  
2 guilty of a felony punishable by imprisonment for not more than 5  
3 years or a fine of not more than \$10,000.00, or both.

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

11 (10) Except as provided in subsection (16), a person who is  
12 in possession of a reproduced, altered, counterfeited, forged, or  
13 duplicated license photograph, negative of the photograph, image,  
14 license, or electronic data contained on a license or part of a  
15 license is guilty of a misdemeanor punishable by imprisonment for  
16 not more than 1 year or a fine of not more than \$2,000.00, or  
17 both.

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

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

1 license by the secretary of state.

2 (13) An operator or chauffeur may indicate on the license in  
3 a place designated by the secretary of state his or her blood  
4 type, emergency contact information, immunization data,  
5 medication data, or a statement that the licensee is deaf, or a  
6 statement that the licensee is an organ and tissue donor and has  
7 made an anatomical gift ~~pursuant to~~ **under** part 101 of the  
8 public health code, 1978 PA 368, MCL 333.10101 to 333.10109.

9 (14) An operator or chauffeur may indicate on the license in  
10 a place designated by the secretary of state that he or she has  
11 designated a patient advocate in accordance with sections 5506 to  
12 5513 of the estates and protected individuals code, 1998 PA 386,  
13 MCL 700.5506 to 700.5513.

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

19 (16) Subsections (8), (9), and (10) do not apply to a person  
20 who is in possession of 1 or more photocopies, reproductions, or  
21 duplications of a license to document the identity of the  
22 licensee for a legitimate business purpose.