

**SUBSTITUTE FOR
HOUSE BILL NO. 4082**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 310, 806, and 809 (MCL 257.310, 257.806, and
257.809), section 310 as amended by 2004 PA 495, section 806 as
amended by 2003 PA 152, and section 809 as amended by 1987 PA 238.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 310. (1) The secretary of state shall issue an operator's
2 license to each person licensed as an operator and a chauffeur's
3 license to each person licensed as a chauffeur. An applicant for a
4 motorcycle indorsement under section 312a or a vehicle group
5 designation or indorsement shall first qualify for an operator's or

1 chauffeur's license before the indorsement or vehicle group
2 designation application is accepted and processed. On and after
3 July 1, 2003, an original license or the first renewal of an
4 existing license issued to a person less than 21 years of age shall
5 be portrait or vertical in form and a license issued to a person 21
6 years of age or over shall be landscape or horizontal in form.

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

9 (a) The distinguishing number permanently assigned to the
10 licensee.

11 (b) The full name, date of birth, address of residence,
12 height, eye color, sex, image, and signature of the licensee.

13 (c) ~~—A—~~ **UNTIL JANUARY 1, 2007, A** place for the licensee to
14 indicate 1 or more of the following:

15 (i) The blood type of the licensee.

16 (ii) Immunization data of the licensee.

17 (iii) Medication data of the licensee.

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

19 (v) ~~—A—~~ **UNTIL JANUARY 1, 2007, A** statement that the licensee
20 is an organ and tissue donor under part 101 of the public health
21 code, 1978 PA 368, MCL 333.10101 to 333.10109.

22 (vi) Emergency contact information of the licensee.

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

1 information card.

2 (d) ~~If~~ **UNTIL JANUARY 1, 2007, IF** the licensee has made a
3 statement described in subdivision (c)(v), the signature of the
4 licensee following the indication of his or her organ and tissue
5 donor intent identified in subdivision (c)(v), along with the
6 signature of at least 1 witness.

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

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

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

25 (G) **BEGINNING JANUARY 1, 2007, IN THE CASE OF A LICENSEE WHO**
26 **HAS INDICATED HIS OR HER WISH TO PARTICIPATE IN THE ORGAN AND**
27 **TISSUE DONOR REGISTRY UNDER PART 101 OF THE PUBLIC HEALTH CODE,**

1 1978 PA 368, MCL 333.10101 TO 333.10109, A HEART INSIGNIA ON THE
2 FRONT OF THE LICENSE.

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

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

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

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

24 (7) ~~A~~ **EXCEPT AS PROVIDED IN SUBSECTION (11),** A person who
25 intentionally reproduces, alters, counterfeits, forges, or
26 duplicates a license photograph, the negative of the photograph,
27 image, license, or electronic data contained on a license or a part

1 of a license or who uses a license, image, or photograph that has
2 been reproduced, altered, counterfeited, forged, or duplicated is
3 subject to 1 of the following:

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

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

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

26 (8) Except as provided in ~~subsection~~ **SUBSECTIONS (11) AND**
27 (16), a person who sells, or who possesses with the intent to

1 deliver to another, a reproduced, altered, counterfeited, forged,
2 or duplicated license photograph, negative of the photograph,
3 image, license, or electronic data contained on a license or part
4 of a license is guilty of a felony punishable by imprisonment for
5 not more than 5 years or a fine of not more than \$10,000.00, or
6 both.

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

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

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

23 (12) The secretary of state, upon determining after an
24 examination that an applicant is mentally and physically qualified
25 to receive a license, may issue the applicant a temporary driver's
26 permit. The temporary driver's permit entitles the applicant, while
27 having the permit in his or her immediate possession, to drive a

1 motor vehicle upon the highway for a period not exceeding 60 days
2 before the secretary of state has issued the applicant an
3 operator's or chauffeur's license. The secretary of state may
4 establish a longer duration for the validity of a temporary
5 driver's permit if necessary to accommodate the process of
6 obtaining a background check that is required for an applicant by
7 federal law.

8 (13) An operator or chauffeur may indicate on the license in a
9 place designated by the secretary of state his or her blood type,
10 emergency contact information, immunization data, medication data,
11 or a statement that the licensee is deaf, or, **UNTIL JANUARY 1,**
12 **2007,** a statement that the licensee is an organ and tissue donor
13 and has made an anatomical gift ~~pursuant to~~ **UNDER** part 101 of the
14 public health code, 1978 PA 368, MCL 333.10101 to 333.10109.

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

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

25 (16) Subsections (8), (9), and (10) do not apply to a person
26 who is in possession of 1 or more photocopies, reproductions, or
27 duplications of a license to document the identity of the licensee

1 for a legitimate business purpose.

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

12 (18) BEGINNING JANUARY 1, 2007, THE SECRETARY OF STATE SHALL
13 INQUIRE OF EACH LICENSEE, IN PERSON OR BY MAIL, WHETHER THE
14 LICENSEE AGREES TO PARTICIPATE IN THE ORGAN, TISSUE, AND EYE DONOR
15 REGISTRY UNDER PART 101 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL
16 333.10101 TO 333.10109.

17 (19) A LICENSEE WHO HAS AGREED TO PARTICIPATE IN THE ORGAN,
18 TISSUE, AND EYE DONOR REGISTRY UNDER PART 101 OF THE PUBLIC HEALTH
19 CODE, 1978 PA 368, MCL 333.10101 TO 333.10109, SHALL NOT BE
20 CONSIDERED TO HAVE REVOKED THAT AGREEMENT SOLELY BECAUSE THE
21 LICENSEE'S LICENSE HAS BEEN REVOKED OR SUSPENDED OR HAS EXPIRED.
22 ENROLLMENT IN THE ORGAN, TISSUE, AND EYE DONOR REGISTRY CONSTITUTES
23 A LEGAL AGREEMENT THAT REMAINS BINDING AND IN EFFECT AFTER THE
24 DONOR'S DEATH REGARDLESS OF THE EXPRESSED DESIRES OF THE DECEASED
25 DONOR'S NEXT OF KIN WHO MAY OPPOSE THE DONOR'S ORGAN, TISSUE, OR
26 EYE DONATION.

27 Sec. 806. (1) Until October 1, 2009, a fee of \$10.00 shall

1 accompany each application for a certificate of title required by
2 this act or for a duplicate of a certificate of title. An
3 additional fee of \$5.00 shall accompany an application if the
4 applicant requests that the application be given special
5 expeditious treatment. A \$3.00 service fee shall be collected, in
6 addition to the other fees collected under this subsection, for
7 each title issued. The **\$5.00 EXPEDITIOUS TREATMENT FEE COLLECTED ON**
8 **AND AFTER OCTOBER 1, 2004 AND THE** \$3.00 service fee shall be
9 deposited into the transportation administration collection fund
10 **CREATED UNDER SECTION 810B.**

11 (2) A fee of \$10.00 shall accompany an application for a
12 special identifying number as provided in section 230.

13 (3) In addition to paying the fees required by subsection (1),
14 until December 31, 2007, each person who applies for a certificate
15 of title, a salvage vehicle certificate of title, or a scrap
16 certificate of title, under this act shall pay a tire disposal
17 surcharge of \$1.50 for each certificate of title or duplicate of a
18 certificate of title that person receives. The secretary of state
19 shall deposit money received under this subsection into the scrap
20 tire regulatory fund created in section 16908 of the natural
21 resources and environmental protection act, 1994 PA 451, MCL
22 324.16908.

23 Sec. 809. (1) An application for transfer of registration from
24 a vehicle subject to section 801(1)(a) to another vehicle subject
25 to that section shall be accompanied by a fee of \$8.00. In addition
26 to the fee of \$8.00, if the registration is transferred from a
27 passenger vehicle to a motor home and if the registration fee for

1 the motor home is greater than the fee paid upon registration of
2 the vehicle from which the registration was removed, then the
3 difference in fee shall be paid by the applicant. If the fee is
4 less than that paid for the registration of the vehicle from which
5 the plates were removed, the difference shall not be refunded. The
6 fees required by this subsection shall be considered to include all
7 fees or charges imposed by this act for the transfer of
8 registration, except those which may be assessed ~~by~~ **UNDER** section
9 234.

10 (2) An application for a transfer of registration, other than
11 a transfer described in subsection (1), shall be accompanied by a
12 fee of \$8.00. In addition to the fee of \$8.00, if the registration
13 plates are transferred to another vehicle, as provided in section
14 233, and if the plate fee for a 12-month registration for the
15 vehicle to which the registration is transferred is greater than
16 the plate fee paid upon registration of the vehicle from which the
17 registration was removed, then the difference shall be paid by the
18 applicant for the new registration. If the fee is less than that
19 paid for registration of the vehicle from which the registration
20 was removed, the difference shall not be refunded.

21 **(3) A TRANSFER OF REGISTRATION FEE COLLECTED UNDER THIS**
22 **SECTION ON AND AFTER OCTOBER 1, 2004 SHALL BE DEPOSITED INTO THE**
23 **TRANSPORTATION ADMINISTRATION COLLECTION FUND CREATED UNDER SECTION**
24 **810B.**

25 Enacting section 1. This amendatory act does not take effect
26 unless all of the following bills of the 93rd Legislature are
27 enacted into law:

- 1 (a) Senate Bill No. 301.
- 2 (b) House Bill No. 4469.
- 3 (c) House Bill No. 4470.