

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4082**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 310, 806, 809, and 810b (MCL 257.310, 257.806,
257.809, and 257.810b), section 310 as amended by 2004 PA 495,
section 806 as amended by 2003 PA 152, section 809 as amended by
1987 PA 238, and section 810b as amended by 2004 PA 52.

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

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

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

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

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

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

16 (i) The blood type of the licensee.

17 (ii) Immunization data of the licensee.

18 (iii) Medication data of the licensee.

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

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

23 (vi) Emergency contact information of the licensee.

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

1 statement that the licensee carries an emergency medical
2 information card.

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

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

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

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

26 (G) **BEGINNING JANUARY 1, 2007, IN THE CASE OF A LICENSEE WHO**
27 **HAS INDICATED HIS OR HER WISH TO PARTICIPATE IN THE ORGAN AND**

1 TISSUE DONOR REGISTRY UNDER PART 101 OF THE PUBLIC HEALTH CODE,
2 1978 PA 368, MCL 333.10101 TO 333.10109, A HEART INSIGNIA ON THE
3 FRONT OF THE LICENSE.

4 (3) Except as otherwise required ~~in~~ **UNDER** this chapter,
5 other information required on the license pursuant to this chapter
6 may appear on the license in a form prescribed by the secretary of
7 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 number,
15 birth date, license expiration date, and other information
16 necessary for use with electronic devices, machine readers, or
17 automatic teller machines and shall not contain the person's name,
18 address, driving record, or other personal identifier. The license
19 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, counterfeit,
22 forge, or duplicate the license without ready detection. In
23 addition, a license with a vehicle group designation shall contain
24 the information required under 49 CFR part 383.

25 (7) ~~—A—~~ **EXCEPT AS PROVIDED IN SUBSECTION (11),** A person who
26 intentionally reproduces, alters, counterfeits, forges, or
27 duplicates a license photograph, the negative of the photograph,

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

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

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

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

27 (8) Except as provided in ~~subsection~~ **SUBSECTIONS (11) AND**

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

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

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

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

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

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

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

16 (14) An operator or chauffeur may indicate on the license in a
17 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 state
22 that he or she is a minor who has been emancipated ~~pursuant to~~
23 **UNDER** 1968 PA 293, MCL 722.1 to 722.6, the license shall bear the
24 designation of the individual's emancipated status in a manner
25 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 licensee
2 for a legitimate business purpose.

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

13 (18) BEGINNING JANUARY 1, 2007, THE SECRETARY OF STATE SHALL
14 INQUIRE OF EACH LICENSEE, IN PERSON OR BY MAIL, WHETHER THE
15 LICENSEE AGREES TO PARTICIPATE IN THE ORGAN, TISSUE, AND EYE DONOR
16 REGISTRY UNDER PART 101 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL
17 333.10101 TO 333.10109.

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

1 Sec. 806. (1) Until October 1, 2009, a fee of \$10.00 shall
2 accompany each application for a certificate of title required by
3 this act or for a duplicate of a certificate of title. An
4 additional fee of \$5.00 shall accompany an application if the
5 applicant requests that the application be given special
6 expeditious treatment. A \$3.00 service fee shall be collected, in
7 addition to the other fees collected under this subsection, for
8 each title issued. **THE \$5.00 EXPEDITIOUS TREATMENT FEE COLLECTED ON**
9 **AND AFTER OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005 SHALL BE**
10 **DEPOSITED INTO THE TRANSPORTATION ADMINISTRATION COLLECTION FUND**
11 **CREATED UNDER SECTION 810B. THE \$5.00 EXPEDITIOUS TREATMENT FEE**
12 **COLLECTED ON AND AFTER OCTOBER 1, 2005 SHALL BE DEPOSITED INTO THE**
13 **MICHIGAN TRANSPORTATION FUND ESTABLISHED UNDER SECTION 10 OF 1951**
14 **PA 51, MCL 247.660.** The \$3.00 service fee shall be deposited into
15 the transportation administration collection fund **CREATED UNDER**
16 **SECTION 810B.**

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

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

1 324.16908.

2 Sec. 809. (1) An application for transfer of registration from
3 a vehicle subject to section 801(1)(a) to another vehicle subject
4 to that section shall be accompanied by a fee of \$8.00. In addition
5 to the fee of \$8.00, if the registration is transferred from a
6 passenger vehicle to a motor home and if the registration fee for
7 the motor home is greater than the fee paid upon registration of
8 the vehicle from which the registration was removed, then the
9 difference in fee shall be paid by the applicant. If the fee is
10 less than that paid for the registration of the vehicle from which
11 the plates were removed, the difference shall not be refunded. The
12 fees required by this subsection shall be considered to include all
13 fees or charges imposed by this act for the transfer of
14 registration, except those which may be assessed ~~by~~ **UNDER** section
15 234.

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

27 **(3) A TRANSFER OF REGISTRATION FEE COLLECTED UNDER THIS**

House Bill No. 4082 as amended September 20, 2005

SECTION ON AND AFTER OCTOBER 1, 2004 THROUGH SEPTEMBER 30, <<2006>>

SHALL BE DEPOSITED INTO THE TRANSPORTATION ADMINISTRATION

COLLECTION FUND CREATED UNDER SECTION 810B. A TRANSFER OF

REGISTRATION FEE COLLECTED UNDER THIS SECTION ON AND AFTER OCTOBER

1, <<2006>> SHALL BE DEPOSITED INTO THE MICHIGAN TRANSPORTATION FUND

ESTABLISHED UNDER SECTION 10 OF 1951 PA 51, MCL 247.660.

Sec. 810b. (1) The transportation administration collection fund is created within the state treasury.

(2) The state treasurer may receive money from the collections authorized under this act for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall not lapse into the Michigan transportation fund.

(4) ~~The~~ **UPON APPROPRIATION, THE** department of state shall expend money from the fund ~~—upon appropriation—~~ **THAT IS CREDITED TO THE FUND FROM REVENUE COLLECTED UNDER SECTIONS 801 TO 810 OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.801 TO 257.810, ONLY** to pay the necessary **COLLECTION** expenses incurred by the department of state in the administration and enforcement of sections 801 to 810 of the Michigan vehicle code, 1949 PA 300, MCL 257.801 to 257.810.

(5) The department of treasury shall expend money in the fund, upon appropriation, **ONLY** to defray the costs of collecting motor fuel taxes.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are

1 enacted into law:

2 (a) Senate Bill No. 301.

3 (b) House Bill No. 4469.

4 (c) House Bill No. 4470.