

HOUSE BILL No. 4082

February 1, 2005, Introduced by Reps. Gleason, Bieda, Mayes, Sak and Alma Smith 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 2004 PA 495.

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
6 chauffeur's license before the indorsement or vehicle group
7 designation application is accepted and processed. On and after
8 July 1, 2003, an original license or the first renewal of an
9 existing license issued to a person less than 21 years of age shall

1 be portrait or vertical in form and a license issued to a person 21
2 years of age or over shall be 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, image, and signature of the licensee.

9 (c) A place for the licensee to indicate 1 or more of the
10 following:

11 (i) The blood type of the licensee.

12 (ii) Immunization data of the licensee.

13 (iii) Medication data of the licensee.

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

15 ~~— (v) A statement that the licensee is an organ and tissue donor~~
16 ~~under part 101 of the public health code, 1978 PA 368, MCL~~
17 ~~333.10101 to 333.10109.~~

18 (v) ~~—(vi)~~ Emergency contact information of the licensee.

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

25 ~~— (d) If the licensee has made a statement described in~~
26 ~~subdivision (c)(v), the signature of the licensee following the~~
27 ~~indication of his or her organ and tissue donor intent identified~~

1 ~~in subdivision (c)(v), along with the signature of at least 1~~
2 ~~witness.~~

3 ~~—— (c) The sticker or decal described in subdivision (c)(vii) may~~
4 ~~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 subdivision (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 (D) ~~—(f)—~~ Beginning July 1, 2003, in the case of a licensee
14 who is less than 18 years of age at the time of issuance of the
15 license, the ~~date~~ **DATES** on which the licensee will become 18 years
16 of age and 21 years of age.

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

21 (F) BEGINNING JANUARY 1, 2007, IN THE CASE OF A LICENSEE WHO
22 HAS INDICATED HIS OR HER WISH TO PARTICIPATE IN THE ORGAN AND
23 TISSUE DONOR REGISTRY PURSUANT TO PART 101 OF THE PUBLIC HEALTH
24 CODE, 1978 PA 368, MCL 333.10101 TO 333.10109, A HEART INSIGNIA ON
25 THE FRONT OF THE LICENSE AND THE FOLLOWING ON THE BACK OF THE
26 LICENSE: "A HEART INSIGNIA ON THE FRONT OF THIS LICENSE INDICATES
27 THAT THIS PERSON IS A REGISTERED ORGAN AND TISSUE DONOR. FOR

1 **REGISTRATION OR DONATION INFORMATION, CALL GIFT OF LIFE MICHIGAN:**
2 **1-800-482-4881."**

3 (3) Except as otherwise required in this chapter, other
4 information required on the license ~~pursuant to~~ **UNDER** 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 person who intentionally reproduces, alters,
25 counterfeits, forges, or duplicates a license photograph, the
26 negative of the photograph, image, license, or electronic data
27 contained on a license or a part of a license or who uses a

1 license, image, or photograph that has been reproduced, altered,
2 counterfeited, forged, or duplicated is subject to 1 of the
3 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 (16), a person who sells,
27 or who possesses with the intent to deliver to another, a

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

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

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

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

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

1 before the secretary of state has issued the applicant an
2 operator's or chauffeur's license. The secretary of state may
3 establish a longer duration for the validity of a temporary
4 driver's permit if necessary to accommodate the process of
5 obtaining a background check that is required for an applicant by
6 federal law.

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

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

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

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

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

11 (18) BEGINNING JANUARY 1, 2007, THE SECRETARY OF STATE SHALL
12 INQUIRE OF EACH LICENSEE, IN PERSON OR BY MAIL, WHETHER THE
13 LICENSEE AGREES TO PARTICIPATE IN THE ORGAN AND TISSUE DONOR
14 REGISTRY PURSUANT TO PART 101 OF THE PUBLIC HEALTH CODE, 1978 PA
15 368, MCL 333.10101 TO 333.10109, AND SHALL ELECTRONICALLY TRANSFER
16 THE FOLLOWING INFORMATION CONCERNING EACH LICENSEE WHO INDICATES,
17 IN A MANNER PRESCRIBED BY THE SECRETARY OF STATE, HIS OR HER
18 AGREEMENT TO PARTICIPATE IN THAT REGISTRY TO THE FEDERALLY
19 DESIGNATED ORGAN PROCUREMENT ORGANIZATION:

20 (A) DATE OF BIRTH.

21 (B) FIRST NAME, MIDDLE NAME OR MIDDLE INITIAL, IF ANY, AND
22 LAST NAME.

23 (C) STREET ADDRESS, CITY, STATE, AND ZIP CODE.

24 (19) A LICENSEE WHO HAS AGREED TO PARTICIPATE IN THE ORGAN AND
25 TISSUE DONOR REGISTRY PURSUANT TO PART 101 OF THE PUBLIC HEALTH
26 CODE, 1978 PA 368, MCL 333.10101 TO 333.10109, UNDER SUBSECTION
27 (18) SHALL NOT BE CONSIDERED TO HAVE REVOKED THAT AGREEMENT SOLELY

1 BECAUSE THE LICENSEE'S LICENSE HAS BEEN REVOKED, SUSPENDED, OR
2 EXPIRED.

3 Enacting section 1. This amendatory act takes effect January
4 1, 2007.