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BILL ANALYSIS

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Senate Bills 1414 and 1415 (as reported without amendment)
Sponsor: Senator Dennis Olshove
Committee: Transportation

CONTENT

Senate Bill 1414 would amend the Public Health Code to do the following:

- Provide that a physician would have no affirmative obligation to report to the Secretary of State (SOS) or warn third parties about a person's mental or physical qualifications to operate a motor vehicle, but allow a physician to do so.
- Require a physician making a report to recommend a suspension of at least six months for a routine operator's license, and at least 12 months for a commercial license.
- Immunize a physician from civil and criminal liability to the patient or a third party who could have been injured by the patient's actions, if the physician did not make a report, or if the physician made a report in good faith and documented an "episode" in his or her file or medical record.

The bill would define "episode" as either or both of the following:

- An experience derived from a condition that causes or contributes to loss of consciousness, blackout, seizure, a fainting spell, syncope, or any other impairment of the level of consciousness.
- An experience derived from a condition that causes an impairment of an individual's driving judgment.

Senate Bill 1415 would amend the Michigan Vehicle Code to allow the SOS to consider a written medical opinion and recommendation from the personal physician of an applicant for a driver license in examining the applicant's physical and mental qualifications to operate a motor vehicle.

The bills are tie-barred to each other.

Proposed MCL 333.25124 (S.B. 1414)
MCL 257.309 (S.B. 1415)

Legislative Analyst: Craig Laurie

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 9-10-08

Fiscal Analyst: Joe Carrasco

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