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BILL



ANALYSIS

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Senate Bill 597 (as passed by the Senate)  
Sponsor: Senator Jud Gilbert, II  
Committee: Transportation

Date Completed: 9-4-09

### **RATIONALE**

Public Act 23 of 2008 created the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to allow a person to apply for an enhanced driver license or enhanced official State ID card. The enhanced license or ID may be used in the same manner as a standard license or standard official State ID card, as well as for identification for entering the United States from Canada, Mexico, Bermuda, or the Caribbean islands. While the Act prescribes an application fee for an original or renewal enhanced driver license or enhanced ID card, it does not establish a fee for obtaining a replacement license or card in the event that the original is lost or stolen. It has been suggested that the Act should provide for such a fee.

### **CONTENT**

**The bill would amend the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to permit the Secretary of State to assess a fee for the issuance of a duplicate or corrected enhanced driver license or enhanced official State personal identification card. The fees would have to be deposited into the Enhanced Driver License and Enhanced Official State Personal Identification Card Fund.**

The Act prescribes a maximum fee of \$50 for an original enhanced driver license or State personal identification card or for the renewal of an enhanced license or ID card, and provides for the distribution of fee revenue. The State Treasurer must deposit \$4 into the Traffic Law Enforcement and

Safety Fund for each person examined for an original enhanced driver license. The bill would require the same amount to be deposited into the Fund for each person examined for a renewal enhanced driver license.

In addition, \$2.5 million from the Enhanced Driver License and Enhanced Official State Personal Identification Card Fund must be deposited in the State Treasury and credited to the General Fund, except that not more than \$1.0 million must be credited to the Gasoline Inspection and Testing Fund. The bill would remove those provisions.

MCL 28.306

### **BACKGROUND**

Under the Michigan Vehicle Code, a person may obtain a duplicate or corrected license either by applying for renewal of the license and paying the renewal fee (\$18 for renewing an operator's license or \$25 for a chauffeur's license), or by applying for a duplicate license that expires on the same date as the original license. The fee is \$9 for a duplicate operator's license and \$18 for a duplicate chauffeur's license. There is no fee for a change of address, a correction because of a Department of State error, or the addition or removal of a heart insignia designating that the individual is an anatomical gift donor.

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

While the Michigan Vehicle Code contains provisions for obtaining a duplicate driver license if necessary, there are no similar provisions in the Enhanced Driver License and Enhanced Personal Identification Card Act for obtaining a duplicate enhanced driver license or enhanced ID card. A duplicate could be necessary in a number of circumstances; for example, the original is lost or stolen, the card has been damaged so that it is no longer legible, or the information on the card is not accurate. The bill would permit the Secretary of State to charge a fee for providing a duplicate enhanced driver license or enhanced ID card, correcting this apparent oversight.

The bill also would remove language requiring a portion of the money collected from fees under the Act to be distributed to the General Fund. The Vehicle Code already requires \$2.5 million of the fees collected under the Code to be deposited into the General Fund, with not more than \$1.0 million to be credited to the Gasoline Inspection and Testing Fund. That language also was included in the Enhanced Driver License and Enhanced Official State Identification Card Act, but is unnecessary, and essentially requires the same amount to be distributed to the General Fund twice.

Legislative Analyst: Curtis Walker

### **FISCAL IMPACT**

The bill should have a minimal fiscal impact on revenue for the Department of State. Currently, there is no mechanism to charge less than the original \$50 fee for a replacement enhanced driver license. The bill would allow the Secretary of State to charge an amount less than the \$50 fee for an original license. The amount charged likely would be the same fee charged for the replacement of a regular driver license. The change is not designed to be a revenue enhancement for the Department. The bill would have no fiscal impact on local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.