



Senate Fiscal Agency
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Senate Bill 597 (as enacted)
Sponsor: Senator Jud Gilbert, II
Senate Committee: Transportation
House Committee: Transportation

PUBLIC ACT 211 of 2009

Date Completed: 12-6-10

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 did not originally establish a fee for obtaining a replacement license or card in the event that the original is lost or stolen. It was suggested that the Act should provide for such a fee.

CONTENT

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

A fee assessed under the bill may not exceed one of the following amounts:

- \$30 for an enhanced driver license that is an operator's license.
- \$40 for an enhanced driver license that is a chauffeur's license.

-- \$30 for an enhanced official State personal ID card.

A fee may not be charged for a change of address, to correct a departmental error, or to add or remove a heart insignia (indicating that the licensee wishes to participate in the anatomical gift donor registry).

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 requires the same amount to be deposited into the Fund for each person examined for a renewal enhanced driver license.

Previously, the Act required \$2.5 million from the Enhanced Driver License and Enhanced Official State Personal Identification Card Fund to be deposited in the State Treasury and credited to the General Fund, although not more than \$1.0 million was to be credited to the Gasoline Inspection and Testing Fund. The bill deleted those provisions.

The bill took effect on January 4, 2010.

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 were 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 might 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 permits the Secretary of State to charge a fee for providing a duplicate enhanced driver license or enhanced ID card, correcting this apparent oversight.

In addition, the bill removed language requiring a portion of the money collected from fees under the Act to be distributed to the General Fund. The Vehicle Code also 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. Including that language in the Enhanced Driver License and Enhanced Official State Identification Card Act essentially required the same amount to be distributed to the General Fund twice.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill should have a minimal fiscal impact on revenue for the Department of State. Previously, there was no mechanism to charge less than the original \$50 fee for a

replacement enhanced driver license. The bill allows the Secretary of State to charge an amount less than the \$50 fee for an original license as follows: \$30 for replacement of an enhanced operator's license; \$40 for replacement of an enhanced chauffeur's license; and \$30 for the replacement of an enhanced identification card. The change is not designed to be a revenue enhancement for the Department. The bill will 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.