



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 402 (Substitute S-1 as reported)
Senate Bill 403 (Substitute S-1 as reported)
Sponsor: Senator Tonya Schuitmaker
Committee: Transportation

CONTENT

Senate Bill 402 (S-1) would amend the Public Health Code to do the following:

- Allow a physician or optometrist to report to the Secretary of State (SOS) or warn a third party regarding a patient's mental and physical qualifications to operate a motor vehicle safely.
- Allow a physician or optometrist to submit a report to the SOS to initiate or contribute to an examination of a license applicant's physical and mental qualifications to operate a motor vehicle safely, and require the physician or optometrist to recommend a period of license suspension.
- Provide immunity from criminal or civil liability for a physician or optometrist who reported to the SOS or a third party or chose not to report to the SOS or warn a third party.

In making the report, the physician or optometrist would have to recommend a period of suspension as he or she determined appropriate. The recommended suspension period would have to be at least six months in the case of a patient holding an operator's license, and at least 12 months in the case of a patient holding a commercial license.

Senate Bill 403 (S-1) would amend the Michigan Vehicle Code to authorize the SOS to consider a report and recommendation submitted by a physician or optometrist under Senate Bill 402 (S-1) in an examination of a license applicant's physical and mental qualifications to operate a motor vehicle; and provide that the report would be confidential.

The bills are tie-barred.

Proposed MCL 333.5139 (S.B. 402)
MCL 257.309 (S.B. 403)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

Senate Bill 402 (S-1): The Department of State indicates that the bill could result in more re-examinations for a driver license; however, the Department anticipates that any costs incurred from the implementation of this bill would be absorbed within the Department's annual appropriation.

Senate Bill 403 (S-1): The bill would have no fiscal impact on State or local government.

Date Completed: 6-6-12

Fiscal Analyst: Joe Carrasco