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BILL ANALYSIS



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Senate Bill 541 (as introduced 10-6-15)

Sponsor: Senator John Proos

Committee: Transportation

Date Completed: 1-27-16

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Require the Secretary of State to inquire, orally or in writing, whether an applicant for an original or renewal operator's license or chauffeur's license wished to participate in the Anatomical Gift Donor Registry Program.**
- **Give the Secretary of State the option to provide organ donor information orally, rather than in printed material, when an applicant appeared at a branch office.**
- **Specify that the Secretary of State would not be required to maintain a record of an individual who did not indicate a willingness to have his or her name placed on the donor registry from the Anatomical Gift Donor Registry Program, or did not respond to the inquiry about participating in the Program.**

The Code requires the Secretary of State to give all of the following to an applicant for an operator's or chauffeur's license:

- Information explaining the applicant's right to make an anatomical gift in the event of death.
- Information describing the Anatomical Gift Donor Registry Program under Part 101 of the Public Health Code, including the address and telephone number of Michigan's federally designated organ procurement organization or its successor organization.
- Information giving the applicant the opportunity to be placed on the donor registry.

The Secretary of State also must give the applicant the opportunity to specify on his or her operator's or chauffeur's license that he or she is willing to make an anatomical gift in the event of death. The Secretary of State must inform the applicant that if he or she indicates a willingness to have his or her name placed on the donor registry, the Secretary of State will mark the applicant's record for the donor registry.

The bill would require the Secretary of State also to specifically inquire, either orally or in writing, whether the applicant wished to participate in the Anatomical Gift Donor Registry Program under Part 101 of the Public Health Code.

The Secretary of State may use one or more of the following methods to fulfill the requirements listed above:

- Providing printed material enclosed with a mailed notice for an operator's or chauffeur's license renewal or the issuance of an operator's or chauffeur's license.
- Providing printed material to an applicant who personally appears at a Secretary of State branch office.

-- Through electronic information transmittals for operator's and chauffeur's licenses processed by electronic means.

Under the bill, the Secretary of State could fulfill the requirements by inquiring orally of applicants who had personally appeared at a branch office.

The Secretary of State must maintain a record of an individual who indicates a willingness to have his or her name placed on the donor registry. The bill specifies that the Secretary of State would not be required to maintain a record of an individual who did not indicate a willingness to have his or her name placed on the donor registry, or an individual who did not respond to an inquiry, whether orally or in writing, as to whether the applicant wished to participate in the Anatomical Gift Donor Registry Program.

(Part 101 of the Public Health Code details the processes and regulations regarding the donation and receipt of anatomical gifts. Part 101 is titled the "Revised Uniform Anatomical Gift Law".)

MCL 257.307

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or 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.