



**Senate Fiscal Agency**  
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BILL



ANALYSIS

**Telephone: (517) 373-5383**  
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House Bill 5686 (Substitute H-2 as reported without amendment)  
House Bill 5687 (Substitute H-2 as reported without amendment)  
Sponsor: Representative Pamela Hornberger (H.B. 5686)  
Representative Beth Griffin (H.B. 5687)  
House Committee: Transportation and Infrastructure  
Senate Committee: Transportation

### **CONTENT**

House Bill 5686 (H-2) would amend Public Act 222 of 1972, which governs official personal identification cards, and House Bill 5687 (H-2) would amend the Michigan Vehicle Code, to prohibit the Secretary of State (SOS) from issuing an official State personal identification card or an operator's license or chauffeur's license to an applicant who was not a U.S. citizen for a term that exceeded the duration of his or her legal presence in the United States.

Under the statutes, if an applicant for an official State personal identification card or an operator's license or chauffeur's license, as applicable, is not a citizen of the United States, he or she must provide, and the SOS must verify, documents demonstrating the applicant's legal presence in the United States.

The bills would prohibit the SOS from issuing an official State personal identification card or an operator's license or chauffeur's license, as applicable, to an applicant who was not a U.S. citizen for a term that exceeded the duration of his or her legal presence in the United States.

If an official State personal identification card or an operator's license or chauffeur's license were issued to such an individual who had temporary lawful status, the card or license would have to be issued in compliance with specific Federal regulations.

As used in the bills, "temporary lawful status" would mean that term as defined in 6 CFR 37.3, which states that a person in temporary lawful status is a person who 1) has a valid nonimmigrant status in the United States, 2) has a pending application for asylum in the United States, 3) has a pending or approved application for temporary protected status in the United States, 4) has approved deferred action status, or 5) has a pending application for lawful permanent residence or conditional permanent resident status.

MCL 28.291 & 28.292 (H.B. 5686)  
257.307 & 257.310 (H.B. 5687)

Legislative Analyst: Drew Krogulecki

### **FISCAL IMPACT**

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

Date Completed: 5-16-18

Fiscal Analyst: Joe Carrasco