

HOUSE BILL No. 5045

September 28, 2017, Introduced by Reps. Phelps, Chatfield, Green, Yanez, Garrett, Chang, Santana, Neeley, Sneller, Love, Bellino, Marino, Hauck, Yaroach and Kosowski and referred to the Committee on Michigan Competitiveness.

A bill to amend 2008 PA 23, entitled

"Enhanced driver license and enhanced official state personal identification card act,"

by amending section 4 (MCL 28.304).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The secretary of state may issue an enhanced
2 driver's license or enhanced official state personal identification
3 card to an applicant who provides satisfactory proof of his or her
4 full legal name, United States citizenship, identity, date of
5 birth, social security number, residence address, and a
6 photographic identity document. An applicant may choose to apply
7 for a standard driver license or standard official state personal
8 identification card or an enhanced driver license or enhanced state

1 personal identification card.

2 (2) An enhanced driver license or enhanced official state
3 personal identification card shall include reasonable security
4 measures to protect against unauthorized disclosure of personal
5 information regarding residents of this state that is contained in
6 the enhanced driver license or enhanced official state personal
7 identification card.

8 (3) An enhanced driver license or enhanced official state
9 personal identification card may include radio frequency
10 identification technology that is limited to a randomly assigned
11 number, which shall be encrypted if agreed to by the ~~department of~~
12 ~~homeland security,~~ **DEPARTMENT OF HOMELAND SECURITY**, and does not
13 include biometric data. The secretary of state shall ensure that
14 the radio frequency identification technology is secure from
15 unauthorized data access and includes reasonable security measures
16 to protect against unauthorized disclosure of personal information.
17 An applicant ~~shall be required to~~ **MUST** sign a declaration
18 acknowledging his or her understanding of the radio frequency
19 identification technology before he or she is issued an enhanced
20 driver license or enhanced official state personal identification
21 card.

22 (4) The requirements of this act are in addition to the
23 requirements otherwise imposed on individuals who apply for a
24 standard driver license or standard official state personal
25 identification card.

26 (5) The holder of an enhanced driver license issued under this
27 act is subject to every licensing sanction provided under the

1 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. As used
2 in this subsection, "licensing sanction" means the restriction,
3 suspension, revocation, or denial of a driver license; the addition
4 of points to a driving record; **UNTIL OCTOBER 1, 2018**, the
5 assessment of a driver responsibility fee; the assessment of a
6 civil fine or criminal penalty resulting from a conviction; a civil
7 infraction determination; the imposition of probationary terms and
8 conditions; or any other penalty provided under the Michigan
9 vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.