

# SENATE BILL No. 190

February 23, 2017, Introduced by Senator BOOHER and referred to the Committee on  
Regulatory Reform.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 80130a, 80315a, 81114a, and 82156a (MCL  
324.80130a, 324.80315a, 324.81114a, and 324.82156a), section 80130a  
as amended by 2000 PA 194 and sections 80315a, 81114a, and 82156a  
as added by 1997 PA 102.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 80130a. (1) Except as provided in this section and  
2       section 80130c, personal information in a record maintained under  
3       this part shall not be disclosed, unless the person requesting the  
4       information furnishes proof of identity considered satisfactory to  
5       the secretary of state and certifies that the personal information  
6       requested will be used for a permissible purpose identified in this  
7       section or in section 80130c. Notwithstanding this section, highly

1 restricted personal information shall be used and disclosed only as  
2 expressly permitted by law.

3 (2) Personal information in a record maintained under this act  
4 shall be disclosed by the secretary of state if required to carry  
5 out the purposes of a specified federal law. As used in this  
6 section, "specified federal law" means the automobile information  
7 disclosure act, Public Law 85-506, 15 U.S.C. ~~1231 to 1232 and USC~~  
8 **1231 TO** 1233, the former motor vehicle information and cost savings  
9 act, Public Law 92-513, the former national traffic and motor  
10 vehicle safety act of 1966, Public Law 89-563, the anti-car theft  
11 act of 1992, Public Law 102-519, 106 Stat. ~~STAT~~ 3384, the clean air  
12 act, chapter 360, 69 Stat. ~~STAT~~ 322, 42 U.S.C. ~~7401 to 7431, 7470~~  
13 ~~to 7479, 7491 to 7492, 7501 to 7509a, 7511 to 7515, 7521 to 7525,~~  
14 ~~7541 to 7545, 7547 to 7550, 7552 to 7554, 7571 to 7574, 7581 to~~  
15 ~~7590, 7601 to 7612, 7614 to 7617, 7619 to 7622, 7624 to 7627, 7641~~  
16 ~~to 7642, 7651 to 7651o, 7661 to 7661f, and 7671 to USC 7401 TO~~  
17 7671q, and all federal regulations promulgated to implement these  
18 federal laws.

19 (3) Personal information in a record maintained under this act  
20 may be disclosed to any person by the secretary of state as  
21 follows:

22 (a) For use by any government agency, including any court or  
23 law enforcement agency, in carrying out its functions, or any  
24 private person or entity acting on behalf of a government agency in  
25 carrying out its functions.

26 (b) For use in connection with matters of watercraft and  
27 operator safety or watercraft theft; watercraft emissions;

1 watercraft product alterations, recalls, or advisories; performance  
2 monitoring of watercraft; watercraft research activities including  
3 survey research; and the removal of nonowner records from the  
4 original records of watercraft manufacturers.

5 (c) For use in the normal course of business by a business or  
6 its agents, employees, or contractors to verify the accuracy of  
7 personal information submitted by an individual to the business or  
8 its agents, employees, or contractors, and if the information as  
9 submitted is not correct or is no longer correct, to obtain the  
10 correct information, but only for the purposes of preventing fraud,  
11 by pursuing legal remedies against, or recovering on a debt or  
12 security interest against, the individual.

13 (d) For use in connection with any civil, criminal,  
14 administrative, or arbitral proceeding in any court or government  
15 agency or before any self-regulatory body, including the service of  
16 process, investigation in anticipation of litigation, and the  
17 execution or enforcement of judgments and orders, or pursuant to an  
18 order of any court, administrative agency, or self-regulatory body.

19 (e) For use in legitimate research activities and in preparing  
20 statistical reports for commercial, scholarly, or academic purposes  
21 by a bona fide research organization, so long as the personal  
22 information is not published, redisclosed, or used to contact  
23 individuals.

24 (f) For use by any insurer, self-insurer, or insurance support  
25 organization, or its agents, employees, or contractors, in  
26 connection with claims investigation activities, antifraud  
27 activities, rating, or underwriting.

1 (g) For use in providing notice to the owner of an abandoned,  
2 towed, or impounded watercraft.

3 (h) For use by any **OF THE FOLLOWING FOR A PURPOSE PERMITTED**  
4 **UNDER THIS SECTION:**

5 (i) ~~A licensed~~ private security guard agency or alarm system  
6 contractor **THAT IS** licensed under the private security guard act of  
7 1968, 1968 PA 330, MCL 338.1051 to 338.1085. ~~or a~~

8 (ii) A private detective or private investigator **THAT IS**  
9 licensed under the private ~~detective license act of 1965,~~  
10 **INVESTIGATOR LICENSURE ACT**, 1965 PA 285, MCL 338.821 to 338.851. ~~or~~  
11 ~~for any purpose permitted under this section.~~

12 (iii) A **SECURITY GUARD AGENCY THAT IS LICENSED UNDER ARTICLE**  
13 **14A OF THE OCCUPATIONAL CODE**, 1980 PA 299, MCL 339.1421 TO  
14 339.1443.

15 (iv) A **SYSTEM PROVIDER THAT IS REGISTERED UNDER THE SECURITY**  
16 **ALARM SYSTEMS ACT**, 2012 PA 580, MCL 338.2181 TO 338.2187.

17 (i) For use by a news medium in the preparation and  
18 dissemination of a report related in part or in whole to the  
19 operation of a motor vehicle or public safety. "News medium"  
20 includes a newspaper, a magazine or periodical published at regular  
21 intervals, a news service, a broadcast network, a television  
22 station, a radio station, a cablecaster, or an entity employed by  
23 any of the foregoing.

24 (j) For any use by an individual requesting information  
25 pertaining to himself or herself or requesting in writing that the  
26 secretary of state provide information pertaining to himself or  
27 herself to the individual's designee. A request for disclosure to a

1 designee, however, may be submitted only by the individual.

2       Sec. 80315a. (1) Except as provided in this section and  
3 section 80315c, personal information in a record maintained under  
4 this part shall not be disclosed, unless the person requesting the  
5 information furnishes proof of identity considered satisfactory to  
6 the secretary of state and certifies that the personal information  
7 requested will be used for a permissible purpose identified in this  
8 section or in section 80315c. Notwithstanding this section, highly  
9 restricted personal information shall be used and disclosed only as  
10 expressly permitted by law.

11       (2) Personal information in a record maintained under this act  
12 shall be disclosed by the secretary of state if required to carry  
13 out the purposes of a specified federal law. As used in this  
14 section, "specified federal law" means the automobile information  
15 disclosure act, Public Law 85-506, 15 U.S.C. ~~1231 to 1232 and USC~~  
16 **1231 TO** 1233, the former motor vehicle information and cost savings  
17 act, Public Law 92-513, the former national traffic and motor  
18 vehicle safety act of 1966, Public Law 89-563, the anti-car theft  
19 act of 1992, Public Law 102-519, 106 Stat. ~~STAT~~ 3384, the clean air  
20 act, chapter 360, 69 Stat. ~~STAT~~ 322, 42 U.S.C. ~~7401 to 7431, 7470~~  
21 ~~to 7479, 7491 to 7492, 7501 to 7509a, 7511 to 7515, 7521 to 7525,~~  
22 ~~7541 to 7545, 7547 to 7550, 7552 to 7554, 7571 to 7574, 7581 to~~  
23 ~~7590, 7601 to 7612, 7614 to 7617, 7619 to 7622, 7624 to 7627, 7641~~  
24 ~~to 7642, 7651 to 7651o, 7661 to 7661f, and 7671 USC 7401 to 7671q,~~  
25 and all federal regulations promulgated to implement these federal  
26 laws.

27       (3) Personal information in a record maintained under this

1 part may be disclosed as follows:

2 (a) For use by any government agency, including any court or  
3 law enforcement agency, in carrying out its functions, or any  
4 private person or entity acting on behalf of a government agency in  
5 carrying out its functions.

6 (b) For use in connection with matters of watercraft and  
7 operator safety or watercraft theft; watercraft emissions;  
8 watercraft product alterations, recalls; or advisories; performance  
9 monitoring of watercraft; watercraft research activities, including  
10 survey research; and the removal of nonowner records from the  
11 original records of watercraft manufacturers.

12 (c) For use in the normal course of business by a business or  
13 its agents, employees, or contractors to verify the accuracy of  
14 personal information submitted by an individual to the business or  
15 its agents, employees, or contractors, and if the information as  
16 submitted is not correct or is no longer correct, to obtain the  
17 correct information, but only for the purposes of preventing fraud,  
18 by pursuing legal remedies against, or recovering on a debt or  
19 security interest against, the individual.

20 (d) For use in connection with any civil, criminal,  
21 administrative, or arbitral proceeding in any court or government  
22 agency or before any self-regulatory body, including the service of  
23 process, investigation in anticipation of litigation, and the  
24 execution or enforcement of judgments and orders, or pursuant to an  
25 order of any court, administrative agency, or self-regulatory body.

26 (e) For use in legitimate research activities and in preparing  
27 statistical reports for commercial, scholarly, or academic purposes

1 by a bona fide research organization, so long as the personal  
2 information is not published, redisclosed, or used to contact  
3 individuals.

4 (f) For use by any insurer, self-insurer, or insurance support  
5 organization, or its agents, employees, or contractors, in  
6 connection with claims investigation activities, antifraud  
7 activities, rating, or underwriting.

8 (g) For use in providing notice to the owner of an abandoned,  
9 towed, or impounded watercraft.

10 (h) For use by any **OF THE FOLLOWING FOR A PURPOSE PERMITTED**  
11 **UNDER THIS SECTION:**

12 (i) ~~A licensed~~ private security guard agency or alarm system  
13 contractor **THAT IS** licensed under the private security guard act of  
14 1968, 1968 PA 330, MCL 338.1051 to 338.1085. ~~or a~~

15 (ii) A private detective or private investigator **THAT IS**  
16 licensed under the private ~~detective license act of 1965~~  
17 **INVESTIGATOR LICENSURE ACT**, 1965 PA 285, MCL 338.821 to 338.851. ~~or~~  
18 ~~for any purpose permitted under this section.~~

19 (iii) A **SECURITY GUARD AGENCY THAT IS LICENSED UNDER ARTICLE**  
20 **14A OF THE OCCUPATIONAL CODE**, 1980 PA 299, MCL 339.1421 TO  
21 339.1443.

22 (iv) A **SYSTEM PROVIDER THAT IS REGISTERED UNDER THE SECURITY**  
23 **ALARM SYSTEMS ACT**, 2012 PA 580, MCL 338.2181 TO 338.2187.

24 (i) For use by a watercraft rental business or its employees,  
25 agents, contractors, or service firms for the purpose of making  
26 rental decisions.

27 (j) For use by a news medium in the preparation and

1 dissemination of a report related in part or in whole to the  
2 operation of a motor vehicle or public safety. "News medium"  
3 includes a newspaper, a magazine or periodical published at regular  
4 intervals, a news service, a broadcast network, a television  
5 station, a radio station, a cablecaster, or an entity employed by  
6 any of the foregoing.

7 (k) For any use by an individual requesting information  
8 pertaining to himself or herself or requesting in writing that the  
9 secretary of state provide information pertaining to himself or  
10 herself to the individual's designee. A request for disclosure to a  
11 designee, however, may be submitted only by the individual.

12 Sec. 81114a. (1) Except as provided in this section and in  
13 section 81114c, personal information in a record maintained under  
14 this part shall not be disclosed, unless the person requesting the  
15 information furnishes proof of identity considered satisfactory to  
16 the secretary of state and certifies that the personal information  
17 requested will be used for a permissible purpose identified in this  
18 section or in section 81114c. Notwithstanding this section, highly  
19 restricted personal information shall be used and disclosed only as  
20 expressly permitted by law.

21 (2) Personal information in a record maintained under this act  
22 shall be disclosed by the secretary of state if required to carry  
23 out the purposes of a specified federal law. As used in this  
24 section, "specified federal law" means the automobile information  
25 disclosure act, Public Law 85-506, 15 ~~U.S.C. 1231 to 1232 and USC~~  
26 **1231 TO** 1233, the former motor vehicle information and cost savings  
27 act, Public Law 92-513, the former national traffic and motor



1 vehicle safety act of 1966, Public Law 89-563, the anti-car theft  
2 act of 1992, Public Law 102-519, 106 Stat.—**STAT** 3384, the clean air  
3 act, chapter 360, 69 Stat.—**STAT** 322, 42 U.S.C. ~~7401 to 7431, 7470~~  
4 ~~to 7479, 7491 to 7492, 7501 to 7509a, 7511 to 7515, 7521 to 7525,~~  
5 ~~7541 to 7545, 7547 to 7550, 7552 to 7554, 7571 to 7574, 7581 to~~  
6 ~~7590, 7601 to 7612, 7614 to 7617, 7619 to 7622, 7624 to 7627, 7641~~  
7 ~~to 7642, 7651 to 7651o, 7661 to 7661f, and 7671~~ **USC 7401** to 7671q,  
8 and all federal regulations promulgated to implement these federal  
9 laws.

10 (3) Personal information in a record maintained under this  
11 part may be disclosed as follows:

12 (a) For use by any government agency, including any court or  
13 law enforcement agency, in carrying out its functions, or any  
14 private person or entity acting on behalf of a government agency in  
15 carrying out its functions.

16 (b) For use in connection with matters of ORV and operator  
17 safety or ORV theft; ORV emissions; ORV product alterations,  
18 recalls, or advisories; performance monitoring of ORVs; ORV  
19 research activities, including survey research; and the removal of  
20 nonowner records from the original records of ORV manufacturers.

21 (c) For use in the normal course of business by a business or  
22 its agents, employees, or contractors to verify the accuracy of  
23 personal information submitted by an individual to the business or  
24 its agents, employees, or contractors, and if the information as  
25 submitted is not correct or is no longer correct, to obtain the  
26 correct information, but only for the purposes of preventing fraud,  
27 by pursuing legal remedies against, or recovering on a debt or

1 security interest against, the individual.

2 (d) For use in connection with any civil, criminal,  
3 administrative, or arbitral proceeding in any court or government  
4 agency or before any self-regulatory body, including the service of  
5 process, investigation in anticipation of litigation, and the  
6 execution or enforcement of judgments and orders, or pursuant to an  
7 order of any court, administrative agency, or self-regulatory body.

8 (e) For use in legitimate research activities and in preparing  
9 statistical reports for commercial, scholarly, or academic purposes  
10 by a bona fide research organization, so long as the personal  
11 information is not published, redisclosed, or used to contact  
12 individuals.

13 (f) For use by any insurer, self-insurer, or insurance support  
14 organization, or its agents, employees, or contractors, in  
15 connection with claims investigation activities, antifraud  
16 activities, rating, or underwriting.

17 (g) For use in providing notice to the owner of an abandoned,  
18 towed, or impounded ORV.

19 (h) For use by any **OF THE FOLLOWING FOR A PURPOSE PERMITTED**  
20 **UNDER THIS SECTION:**

21 (i) ~~A licensed~~ private security guard agency or alarm system  
22 contractor **THAT IS** licensed under the private security guard act of  
23 1968, 1968 PA 330, MCL 338.1051 to 338.1085. ~~or a~~

24 (ii) **A** private detective or private investigator **THAT IS**  
25 licensed under the private ~~detective license act of 1965,~~  
26 **INVESTIGATOR LICENSURE ACT**, 1965 PA 285, MCL 338.821 to 338.851. ~~or~~  
27 ~~for any purpose permitted under this section.~~

1           (iii) A SECURITY GUARD AGENCY THAT IS LICENSED UNDER ARTICLE  
2 14A OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.1421 TO  
3 339.1443.

4           (iv) A SYSTEM PROVIDER THAT IS REGISTERED UNDER THE SECURITY  
5 ALARM SYSTEMS ACT, 2012 PA 580, MCL 338.2181 TO 338.2187.

6           (i) For use by an ORV rental business, or its employees,  
7 agents, contractors, or service firms, for the purpose of making  
8 rental decisions.

9           (j) For use by a news medium in the preparation and  
10 dissemination of a report related in part or in whole to the  
11 operation of a motor vehicle or public safety. "News medium"  
12 includes a newspaper, a magazine or periodical published at regular  
13 intervals, a news service, a broadcast network, a television  
14 station, a radio station, a cablecaster, or an entity employed by  
15 any of the foregoing.

16           (k) For any use by an individual requesting information  
17 pertaining to himself or herself or requesting in writing that the  
18 secretary of state provide information pertaining to himself or  
19 herself to the individual's designee. A request for disclosure to a  
20 designee, however, may be submitted only by the individual.

21           Sec. 82156a. (1) Except as provided in this section and in  
22 section 82156c, personal information in a record maintained under  
23 this part shall not be disclosed, unless the person requesting the  
24 information furnishes proof of identity deemed satisfactory to the  
25 secretary of state and certifies that the personal information  
26 requested will be used for a permissible purpose identified in this  
27 section or in section 82156c. Notwithstanding this section, highly

1 restricted personal information shall be used and disclosed only as  
2 expressly permitted by law.

3 (2) Personal information in a record maintained under this act  
4 shall be disclosed by the secretary of state if required to carry  
5 out the purposes of a specified federal law. As used in this  
6 section, "specified federal law" means the automobile information  
7 disclosure act, Public Law 85-506, 15 U.S.C. ~~1231 to 1232 and USC~~  
8 **1231 TO** 1233, the former motor vehicle information and cost savings  
9 act, Public Law 92-513, the former national traffic and motor  
10 vehicle safety act of 1966, Public Law 89-563, the anti-car theft  
11 act of 1992, Public Law 102-519, 106 Stat. ~~STAT~~ 3384, the clean air  
12 act, chapter 360, 69 Stat. ~~STAT~~ 322, 42 U.S.C. ~~7401 to 7431, 7470~~  
13 ~~to 7479, 7491 to 7492, 7501 to 7509a, 7511 to 7515, 7521 to 7525,~~  
14 ~~7541 to 7545, 7547 to 7550, 7552 to 7554, 7571 to 7574, 7581 to~~  
15 ~~7590, 7601 to 7612, 7614 to 7617, 7619 to 7622, 7624 to 7627, 7641~~  
16 ~~to 7642, 7651 to 7651o, 7661 to 7661f, and 7671 USC 7401 to 7671q,~~  
17 and all federal regulations promulgated to implement these federal  
18 laws.

19 (3) Personal information in a record maintained under this  
20 part may be disclosed as follows:

21 (a) For use by any government agency, including any court or  
22 law enforcement agency, in carrying out its functions, or any  
23 private person or entity acting on behalf of a government agency in  
24 carrying out its functions.

25 (b) For use in connection with matters of snowmobile and  
26 operator safety or ORV theft; snowmobile emissions; snowmobile  
27 product alterations, recalls, or advisories; performance monitoring

1 of snowmobiles; snowmobiles research activities, including survey  
2 research; and the removal of nonowner records from the original  
3 records of snowmobile manufacturers.

4 (c) For use in the normal course of business by a business or  
5 its agents, employees, or contractors to verify the accuracy of  
6 personal information submitted by an individual to the business or  
7 its agents, employees, or contractors, and if the information as  
8 submitted is not correct or is no longer correct, to obtain the  
9 correct information, but only for the purposes of preventing fraud,  
10 by pursuing legal remedies against, or recovering on a debt or  
11 security interest against, the individual.

12 (d) For use in connection with any civil, criminal,  
13 administrative, or arbitral proceeding in any court or government  
14 agency or before any self-regulatory body, including the service of  
15 process, investigation in anticipation of litigation, and the  
16 execution or enforcement of judgments and orders, or pursuant to an  
17 order of any court.

18 (e) For use in legitimate research activities and in preparing  
19 statistical reports for commercial, scholarly, or academic purposes  
20 by a bona fide research organization, so long as the personal  
21 information is not published, redisclosed, or used to contact  
22 individuals.

23 (f) For use by any insurer, self-insurer, or insurance support  
24 organization, or its agents, employees, or contractors, in  
25 connection with claims investigation activities, antifraud  
26 activities, rating, or underwriting.

27 (g) For use in providing notice to the owner of an abandoned,

1 towed, or impounded snowmobile.

2 (h) For use by any **OF THE FOLLOWING FOR A PURPOSE PERMITTED**  
3 **UNDER THIS SECTION:**

4 (i) ~~A licensed~~ private security guard agency or alarm system  
5 contractor **THAT IS** licensed under the private security guard act of  
6 1968, 1968 PA 330, MCL 338.1051 to 338.1085. ~~, or a~~

7 (ii) A private detective or private investigator **THAT IS**  
8 licensed under the private ~~detective license act of 1965,~~  
9 **INVESTIGATOR LICENSURE ACT**, 1965 PA 285, MCL 338.821 to 338.851. ~~,~~  
10 ~~for any purpose permitted under this section.~~

11 (iii) A **SECURITY GUARD AGENCY THAT IS LICENSED UNDER ARTICLE**  
12 **14A OF THE OCCUPATIONAL CODE**, 1980 PA 299, MCL 339.1421 TO  
13 339.1443.

14 (iv) A **SYSTEM PROVIDER THAT IS REGISTERED UNDER THE SECURITY**  
15 **ALARM SYSTEMS ACT**, 2012 PA 580, MCL 338.2181 TO 338.2187.

16 (i) For use by an ORV rental business or its employees,  
17 agents, contractors, or service firms for the purpose of making  
18 rental decisions.

19 (j) For use by a news medium in the preparation and  
20 dissemination of a report related in part or in whole to the  
21 operation of a motor vehicle or public safety. "News medium"  
22 includes a newspaper, a magazine or periodical published at regular  
23 intervals, a news service, a broadcast network, a television  
24 station, a radio station, a cablecaster, or an entity employed by  
25 any of the foregoing.

26 (k) For any use by an individual requesting information  
27 pertaining to himself or herself or requesting in writing that the

1 secretary of state provide information pertaining to himself or  
2 herself to the individual's designee. A request for disclosure to a  
3 designee, however, may be submitted only by the individual.

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