

SENATE BILL No. 630

October 12, 2017, Introduced by Senator JONES and referred to the Committee on Judiciary.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 321a and 732 (MCL 257.321a and 257.732),
section 321a as amended by 2012 PA 13 and section 732 as amended by
2015 PA 11.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 321a. (1) A person who fails to answer a citation, or a
2 notice to appear in court for a violation reportable to the
3 secretary of state under section 732 or a local ordinance
4 substantially corresponding to a violation of a law of this state
5 reportable to the secretary of state under section 732, or for any
6 matter pending, or who fails to comply with an order or judgment of

1 the court, including, but not limited to, paying all fines, costs,
2 fees, and assessments, is guilty of a misdemeanor punishable by
3 imprisonment for not more than 93 days or a fine of not more than
4 \$100.00, or both. A violation of this subsection or failure to
5 answer a citation or notice to appear for a violation of section
6 33b(1) of former 1933 (Ex Sess) PA 8, section 703(1) of the
7 Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or
8 a local ordinance substantially corresponding to either of those
9 sections shall not be considered a violation for any purpose under
10 section 320a.

11 (2) Except as provided in subsection (3), 28 days or more
12 after a person fails to answer a citation, or a notice to appear in
13 court for a violation reportable to the secretary of state under
14 section 732 or a local ordinance substantially corresponding to a
15 violation of a law of this state reportable to the secretary of
16 state under section 732, or for any matter pending, or fails to
17 comply with an order or judgment of the court, including, but not
18 limited to, paying all fines, costs, fees, and assessments, the
19 court shall give notice by mail at the last known address of the
20 person that if the person fails to appear or fails to comply with
21 the order or judgment within 14 days after the notice is issued,
22 the secretary of state shall suspend the person's operator's or
23 chauffeur's license. If the person fails to appear or fails to
24 comply with the order or judgment within the 14-day period, the
25 court shall, within 14 days, inform the secretary of state, who
26 shall immediately suspend the license of the person. The secretary
27 of state shall immediately notify the person of the suspension by

1 regular mail at the person's last known address.

2 (3) If the person is charged with, or convicted of, a
3 violation of section 625 or a local ordinance substantially
4 corresponding to section 625(1), (2), (3), (6), or (8) and the
5 person fails to answer a citation or a notice to appear in court,
6 or for any matter pending, or fails to comply with an order or
7 judgment of the court, including, but not limited to, paying all
8 fines, costs, and crime victim rights assessments, the court shall
9 immediately give notice by first-class mail sent to the person's
10 last known address that if the person fails to appear within 7 days
11 after the notice is issued, or fails to comply with the order or
12 judgment of the court, including, but not limited to, paying all
13 fines, costs, and crime victim rights assessments, within 14 days
14 after the notice is issued, the secretary of state shall suspend
15 the person's operator's or chauffeur's license. If the person fails
16 to appear within the 7-day period, or fails to comply with the
17 order or judgment of the court, including, but not limited to,
18 paying all fines, costs, and crime victim rights assessments,
19 within the 14-day period, the court shall immediately inform the
20 secretary of state who shall immediately suspend the person's
21 operator's or chauffeur's license and notify the person of the
22 suspension by first-class mail sent to the person's last known
23 address.

24 (4) If the person is charged with, or convicted of, a
25 violation of section 33b(1) of former 1933 (Ex Sess) PA 8, section
26 ~~703(1)~~ **703(1)(B) OR (C)** of the Michigan liquor control code of
27 1998, 1998 PA 58, MCL 436.1703, section 624a, section 624b, or a

1 local ordinance substantially corresponding to those sections and
2 the person fails to answer a citation or a notice to appear in
3 court issued under section 33b of former 1933 (Ex Sess) PA 8,
4 section 703 of the Michigan liquor control code of 1998, 1998 PA
5 58, MCL 436.1703, section 624a, section 624b, or a local ordinance
6 substantially corresponding to those sections or fails to comply
7 with an order or judgment of the court issued under section 33b of
8 former 1933 (Ex Sess) PA 8, section 703 of the Michigan liquor
9 control code of 1998, 1998 PA 58, MCL 436.1703, section 624a,
10 section 624b, or a local ordinance substantially corresponding to
11 those sections including, but not limited to, paying all fines and
12 costs, the court shall immediately give notice by first-class mail
13 sent to the person's last known address that if the person fails to
14 appear within 7 days after the notice is issued, or fails to comply
15 with the order or judgment of the court, including, but not limited
16 to, paying all fines and costs, within 14 days after the notice is
17 issued, the secretary of state shall suspend the person's
18 operator's or chauffeur's license. If the person fails to appear
19 within the 7-day period, or fails to comply with the order or
20 judgment of the court, including, but not limited to, paying all
21 fines and costs, within the 14-day period, the court shall
22 immediately inform the secretary of state who shall immediately
23 suspend the person's operator's or chauffeur's license and notify
24 the person of the suspension by first-class mail sent to the
25 person's last known address.

26 (5) A suspension imposed under subsection (2) or (3) remains
27 in effect until both of the following occur:

1 (a) The secretary of state is notified by each court in which
2 the person failed to answer a citation or notice to appear or
3 failed to pay a fine or cost that the person has answered that
4 citation or notice to appear or paid that fine or cost.

5 (b) The person has paid to the court a \$45.00 driver license
6 clearance fee for each failure to answer a citation or failure to
7 pay a fine or cost.

8 (6) The court shall not notify the secretary of state, and the
9 secretary of state shall not suspend the person's license, if the
10 person fails to appear in response to a citation issued for, or
11 fails to comply with an order or judgment involving 1 or more of
12 the following infractions:

13 (a) The parking or standing of a vehicle.

14 (b) A pedestrian, passenger, or bicycle violation, other than
15 a violation of section 33b(1) or (2) of former 1933 (Ex Sess) PA 8,
16 section 703(1) or (2) of the Michigan liquor control code of 1998,
17 1998 PA 58, MCL 436.1703, section 624a or 624b, or a local
18 ordinance substantially corresponding to section 33b(1) or (2) of
19 former 1933 (Ex Sess) PA 8, section 703(1) or (2) of the Michigan
20 liquor control code of 1998, 1998 PA 58, MCL 436.1703, or section
21 624a or 624b.

22 (7) The court may notify a person who has done either of the
23 following, that if the person does not appear within 10 days after
24 the notice is issued, the court will inform the secretary of state
25 of the person's failure to appear:

26 (a) Failed to answer 2 or more parking violation notices or
27 citations for violating a provision of this act or an ordinance

1 substantially corresponding to a provision of this act pertaining
2 to parking for persons with disabilities.

3 (b) Failed to answer 3 or more parking violation notices or
4 citations regarding illegal parking or, beginning January 1, 2018,
5 failed to answer 6 or more parking violation notices or citations
6 regarding illegal parking.

7 (8) The secretary of state, upon being informed of the failure
8 of a person to appear or comply as provided in subsection (7),
9 shall not issue a license to the person or renew a license for the
10 person until both of the following occur:

11 (a) The court informs the secretary of state that the person
12 has resolved all outstanding matters regarding the notices or
13 citations.

14 (b) The person has paid to the court a \$45.00 driver license
15 clearance fee. If the court determines that the person is
16 responsible for only 1 parking violation under subsection (7)(a) or
17 less than 3 parking violations under subsection (7)(b), or,
18 beginning January 1, 2018, less than 6 parking violations under
19 subsection (7)(b), for which the person's license was not issued or
20 renewed under this subsection, the court may waive payment of the
21 fee.

22 (9) ~~Not~~ **EXCEPT FOR THE VIOLATIONS DESCRIBED IN SUBSECTION (4)**
23 **THAT REQUIRE THE COURT TO PROVIDE NOTICE AS REQUIRED IN SUBSECTION**
24 **(4), NOT** less than 28 days after a person fails to appear in
25 response to a citation issued for, or fails to comply with an order
26 or judgment involving, a state civil infraction described in
27 chapter 88 of the revised judicature act of 1961, 1961 PA 236, MCL

1 600.8801 to 600.8835, the court shall give notice by ordinary mail,
2 addressed to the person's last known address, that if the person
3 fails to appear or fails to comply with the order or judgment
4 described in this subsection within 14 days after the notice is
5 issued, the court will give to the secretary of state notice of
6 that failure. Upon receiving notice of that failure, the secretary
7 of state shall not issue or renew an operator's or chauffeur's
8 license for the person until both of the following occur:

9 (a) The court informs the secretary of state that the person
10 has resolved all outstanding matters regarding each notice or
11 citation.

12 (b) The person has paid to the court a \$45.00 driver license
13 clearance fee. If the court determines that the person is not
14 responsible for any violation for which the person's license was
15 not issued or renewed under this subsection, the court shall waive
16 the fee.

17 (10) For the purposes of subsections (5)(a), (8)(a), and
18 (9)(a), the court shall give to the person a copy of the
19 information being transmitted to the secretary of state. Upon
20 showing that copy, the person ~~shall~~**MUST** not be arrested or issued
21 a citation for driving on a suspended license, on an expired
22 license, or without a license on the basis of any matter resolved
23 under subsection (5)(a), (8)(a), or (9)(a), even if the information
24 being sent to the secretary of state has not yet been received or
25 recorded by the department.

26 (11) For each fee received under subsection (5)(b), (8)(b), or
27 (9)(b), the court shall transmit the following amounts on a monthly

1 basis:

2 (a) Fifteen dollars to the secretary of state. The funds
3 received by the secretary of state under this subdivision ~~shall~~
4 **MUST** be deposited in the state general fund and ~~shall~~ **MUST** be used
5 to defray the expenses of the secretary of state in processing the
6 suspension and reinstatement of driver licenses under this section.

7 (b) Fifteen dollars to 1 of the following, as applicable:

8 (i) If the matter is before the circuit court, to the
9 treasurer of the county for deposit in the general fund.

10 (ii) If the matter is before the district court, to the
11 treasurer of the district funding unit for that court, for deposit
12 in the general fund. As used in this section, "district funding
13 unit" means that term as defined in section 8104 of the revised
14 judicature act of 1961, 1961 PA 236, MCL 600.8104.

15 (iii) If the matter is before a municipal court, to the
16 treasurer of the city in which the municipal court is located, for
17 deposit in the general fund.

18 (c) Fifteen dollars to the juror compensation reimbursement
19 fund created in section 151d of the revised judicature act of 1961,
20 1961 PA 236, MCL 600.151d.

21 (12) Section 819 does not apply to a reinstatement fee
22 collected for an operator's or chauffeur's license that is not
23 issued or renewed under section 8827 of the revised judicature act
24 of 1961, 1961 PA 236, MCL 600.8827.

25 (13) The secretary of state shall immediately suspend the
26 operator's and chauffeur's license of a person licensed to operate
27 a commercial motor vehicle, or a person who operates a commercial

1 motor vehicle without a license to operate that vehicle, if the
2 person fails to answer an out-state citation, or a notice to appear
3 in a court or an authorized administrative tribunal for a violation
4 reportable to the secretary of state under section 732, or fails to
5 comply with an order or judgment of an out-state court or an
6 authorized administrative tribunal reportable to the secretary of
7 state under section 732, or fails to appear or fails to comply with
8 the out-state court or an authorized administrative tribunal order
9 or judgment reportable to the secretary of state under section 732,
10 including, but not limited to, paying all fines, costs, fees, and
11 assessments. For a suspension imposed under this subsection, the
12 secretary of state shall immediately notify the person of the
13 suspension by regular mail at the person's last known address.

14 (14) A suspension imposed under subsection (13) remains in
15 effect until the secretary of state is notified by the court or
16 authorized administrative tribunal of the other state in which the
17 person failed to answer a citation, or notice to appear, or failed
18 to pay a fine or cost, that the person has answered that citation
19 or notice to appear or has paid the fine or cost.

20 (15) The secretary of state shall not suspend the person's
21 license under subsection (13) if the person fails to appear in
22 response to a citation issued for, or fails to comply with an order
23 or judgment involving, the parking or standing of a vehicle.

24 (16) The secretary of state, upon being informed of the
25 failure of a person to appear or comply as provided in subsection
26 (13), shall not issue a license to the person or renew a license
27 for the person until the court or authorized administrative

1 tribunal of the other state informs the secretary of state that the
2 person has resolved all outstanding matters regarding the notices,
3 orders, or citations.

4 Sec. 732. (1) Each municipal judge and each clerk of a court
5 of record shall keep a full record of every case in which a person
6 is charged with or cited for a violation of this act or a local
7 ordinance substantially corresponding to this act regulating the
8 operation of vehicles on highways and with those offenses
9 pertaining to the operation of ORVs or snowmobiles for which points
10 are assessed under section 320a(1)(c) or (i). Except as provided in
11 subsection (16), the municipal judge or clerk of the court of
12 record shall prepare and forward to the secretary of state an
13 abstract of the court record as follows:

14 (a) Not more than 5 days after a conviction, forfeiture of
15 bail, or entry of a civil infraction determination or default
16 judgment upon a charge of or citation for violating or attempting
17 to violate this act or a local ordinance substantially
18 corresponding to this act regulating the operation of vehicles on
19 highways.

20 (b) Immediately for each case charging a violation of section
21 625(1), (3), (4), (5), (6), (7), or (8) or section 625m or a local
22 ordinance substantially corresponding to section 625(1), (3), (6),
23 or (8) or section 625m in which the charge is dismissed or the
24 defendant is acquitted.

25 (c) Immediately for each case charging a violation of section
26 82127(1) or (3) ~~, OR 81134 , or 81135~~ of the natural resources and
27 environmental protection act, 1994 PA 451, MCL 324.82127 ~~, AND~~

1 324.81134, ~~and 324.81135~~, or a local ordinance substantially
2 corresponding to those sections.

3 (2) If a city or village department, bureau, or person is
4 authorized to accept a payment of money as a settlement for a
5 violation of a local ordinance substantially corresponding to this
6 act, the city or village department, bureau, or person shall send a
7 full report of each case in which a person pays any amount of money
8 to the city or village department, bureau, or person to the
9 secretary of state upon a form prescribed by the secretary of
10 state.

11 (3) The abstract or report required under this section ~~shall~~
12 **MUST** be made upon a form furnished by the secretary of state. An
13 abstract ~~shall~~ **MUST** be certified by signature, stamp, or facsimile
14 signature of the person required to prepare the abstract as
15 correct. An abstract or report ~~shall~~ **MUST** include all of the
16 following:

17 (a) The name, address, and date of birth of the person charged
18 or cited.

19 (b) The number of the person's operator's or chauffeur's
20 license, if any.

21 (c) The date and nature of the violation.

22 (d) The type of vehicle driven at the time of the violation
23 and, if the vehicle is a commercial motor vehicle, that vehicle's
24 group designation.

25 (e) The date of the conviction, finding, forfeiture, judgment,
26 or civil infraction determination.

27 (f) Whether bail was forfeited.

1 (g) Any license restriction, suspension, or denial ordered by
2 the court as provided by law.

3 (h) The vehicle identification number and registration plate
4 number of all vehicles that are ordered immobilized or forfeited.

5 (i) Other information considered necessary to the secretary of
6 state.

7 (4) The clerk of the court also shall forward an abstract of
8 the court record to the secretary of state upon a person's

9 conviction **OR, FOR THE PURPOSES OF SUBDIVISION (D), A FINDING OR**
10 **ADMISSION OF RESPONSIBILITY**, involving any of the following:

11 (a) A violation of section 413, 414, or 479a of the Michigan
12 penal code, 1931 PA 328, MCL 750.413, 750.414, and 750.479a.

13 (b) A violation of section 1 of former 1931 PA 214.

14 (c) Negligent homicide, manslaughter, or murder resulting from
15 the operation of a vehicle.

16 (d) A violation of sections 701(1) and 703 of the Michigan
17 liquor control code of 1998, 1998 PA 58, MCL 436.1701 and 436.1703,
18 or a local ordinance substantially corresponding to those sections.

19 (e) A violation of section 411a(2) of the Michigan penal code,
20 1931 PA 328, MCL 750.411a.

21 (f) A violation of motor carrier safety regulations 49 CFR
22 392.10 or 392.11 as adopted by section 1a of the motor carrier
23 safety act of 1963, 1963 PA 181, MCL 480.11a.

24 (g) A violation of section 57 of the pupil transportation act,
25 1990 PA 187, MCL 257.1857.

26 ~~—(h) A violation of motor carrier safety regulations 49 CFR~~
27 ~~392.10 or 392.11 as adopted by section 31 of the motor bus~~

1 ~~transportation act, 1982 PA 432, MCL 474.131.~~

2 **(H)** ~~(i)~~—An attempt to violate, a conspiracy to violate, or a
3 violation of part 74 of the public health code, 1978 PA 368, MCL
4 333.7401 to 333.7461, or a local ordinance that prohibits conduct
5 prohibited under part 74 of the public health code, 1978 PA 368,
6 MCL 333.7401 to 333.7461, unless the convicted person is sentenced
7 to life imprisonment or a minimum term of imprisonment that exceeds
8 1 year for the offense.

9 **(I)** ~~(j)~~—An attempt to commit an offense described in
10 subdivisions (a) to ~~(h)~~. **(G)**.

11 **(J)** ~~(k)~~—A violation of chapter LXXXIII-A of the Michigan penal
12 code, 1931 PA 328, MCL 750.543a to 750.543z.

13 **(K)** ~~(l)~~—A violation of section 3101, 3102(1), or 3103 of the
14 insurance code of 1956, 1956 PA 218, MCL 500.3101, 500.3102, and
15 500.3103.

16 **(l)** ~~(m)~~—A violation listed as a disqualifying offense under 49
17 CFR 383.51.

18 (5) The clerk of the court shall also forward an abstract of
19 the court record to the secretary of state if a person has pled
20 guilty to, or offered a plea of admission in a juvenile proceeding
21 for, a violation of section 703 of the Michigan liquor control code
22 of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance
23 substantially corresponding to that section, and has had further
24 proceedings deferred under that section. If the person is sentenced
25 to a term of probation and terms and conditions of probation are
26 fulfilled and the court discharges the individual and dismisses the
27 proceedings, the court shall also report the dismissal to the

1 secretary of state.

2 (6) As used in subsections (7) to (9), "felony in which a
3 motor vehicle was used" means a felony during the commission of
4 which the person operated a motor vehicle and while operating the
5 vehicle presented real or potential harm to persons or property and
6 1 or more of the following circumstances existed:

7 (a) The vehicle was used as an instrument of the felony.

8 (b) The vehicle was used to transport a victim of the felony.

9 (c) The vehicle was used to flee the scene of the felony.

10 (d) The vehicle was necessary for the commission of the
11 felony.

12 (7) If a person is charged with a felony in which a motor
13 vehicle was used, other than a felony specified in subsection (4)
14 or section 319, the prosecuting attorney shall include the
15 following statement on the complaint and information filed in
16 district or circuit court:

17 "You are charged with the commission of a felony in which a
18 motor vehicle was used. If you are convicted and the judge finds
19 that the conviction is for a felony in which a motor vehicle was
20 used, as defined in section 319 of the Michigan vehicle code, 1949
21 PA 300, MCL 257.319, your driver's license shall be suspended by
22 the secretary of state."

23 (8) If a juvenile is accused of an act, the nature of which
24 constitutes a felony in which a motor vehicle was used, other than
25 a felony specified in subsection (4) or section 319, the
26 prosecuting attorney or family division of circuit court shall
27 include the following statement on the petition filed in the court:

1 "You are accused of an act the nature of which constitutes a
2 felony in which a motor vehicle was used. If the accusation is
3 found to be true and the judge or referee finds that the nature of
4 the act constitutes a felony in which a motor vehicle was used, as
5 defined in section 319 of the Michigan vehicle code, 1949 PA 300,
6 MCL 257.319, your driver's license shall be suspended by the
7 secretary of state."

8 (9) If the court determines as part of the sentence or
9 disposition that the felony for which the person was convicted or
10 adjudicated and with respect to which notice was given under
11 subsection (7) or (8) is a felony in which a motor vehicle was
12 used, the clerk of the court shall forward an abstract of the court
13 record of that conviction to the secretary of state.

14 (10) As used in subsections (11) and (12), "felony in which a
15 commercial motor vehicle was used" means a felony during the
16 commission of which the person operated a commercial motor vehicle
17 and while the person was operating the vehicle 1 or more of the
18 following circumstances existed:

19 (a) The vehicle was used as an instrument of the felony.

20 (b) The vehicle was used to transport a victim of the felony.

21 (c) The vehicle was used to flee the scene of the felony.

22 (d) The vehicle was necessary for the commission of the
23 felony.

24 (11) If a person is charged with a felony in which a
25 commercial motor vehicle was used and for which a vehicle group
26 designation on a license is subject to suspension or revocation
27 under section 319b(1)(c)(iii), 319b(1)(d), 319b(1)(e)(iii), or

1 319b(1)(f)(i), the prosecuting attorney shall include the following
2 statement on the complaint and information filed in district or
3 circuit court:

4 "You are charged with the commission of a felony in which a
5 commercial motor vehicle was used. If you are convicted and the
6 judge finds that the conviction is for a felony in which a
7 commercial motor vehicle was used, as defined in section 319b of
8 the Michigan vehicle code, 1949 PA 300, MCL 257.319b, all vehicle
9 group designations on your driver's license shall be suspended or
10 revoked by the secretary of state."

11 (12) If the judge determines as part of the sentence that the
12 felony for which the defendant was convicted and with respect to
13 which notice was given under subsection (11) is a felony in which a
14 commercial motor vehicle was used, the clerk of the court shall
15 forward an abstract of the court record of that conviction to the
16 secretary of state.

17 (13) Every person required to forward abstracts to the
18 secretary of state under this section shall certify for the period
19 from January 1 through June 30 and for the period from July 1
20 through December 31 that all abstracts required to be forwarded
21 during the period have been forwarded. The certification ~~shall~~**MUST**
22 be filed with the secretary of state not later than 28 days after
23 the end of the period covered by the certification. The
24 certification ~~shall~~**MUST** be made upon a form furnished by the
25 secretary of state and ~~shall~~**MUST** include all of the following:

26 (a) The name and title of the person required to forward
27 abstracts.

1 (b) The court for which the certification is filed.

2 (c) The time period covered by the certification.

3 (d) The following statement:

4 "I certify that all abstracts required by section 732 of the
5 Michigan vehicle code, MCL 257.732; MSA 9.2432, for the period
6 _____ through _____ have been forwarded to the
7 secretary of state.".

8 (e) Other information the secretary of state considers
9 necessary.

10 (f) The signature of the person required to forward abstracts.

11 (14) The failure, refusal, or neglect of a person to comply
12 with this section constitutes misconduct in office and is grounds
13 for removal from office.

14 (15) Except as provided in subsection (16), the secretary of
15 state shall keep all abstracts received under this section at the
16 secretary of state's main office and the abstracts ~~shall~~**MUST** be
17 ~~open~~**AVAILABLE** for public inspection during the office's usual
18 business hours. Each abstract ~~shall~~**MUST** be entered upon the master
19 driving record of the person to whom it pertains.

20 (16) Except for controlled substance offenses described in
21 subsection (4), the court shall not submit, and the secretary of
22 state shall discard and not enter on the master driving record, an
23 abstract for a conviction or civil infraction determination for any
24 of the following violations:

25 (a) The parking or standing of a vehicle.

26 (b) A nonmoving violation that is not the basis for the
27 secretary of state's suspension, revocation, or denial of an

1 operator's or chauffeur's license.

2 (c) A violation of chapter II that is not the basis for the
3 secretary of state's suspension, revocation, or denial of an
4 operator's or chauffeur's license.

5 (d) A pedestrian, passenger, or bicycle violation, other than
6 a violation of section 703(1) or (2) of the Michigan liquor control
7 code of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance
8 substantially corresponding to section 703(1) or (2) of the
9 Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or
10 section 624a or 624b or a local ordinance substantially
11 corresponding to section 624a or 624b.

12 (e) A violation of section 710e or a local ordinance
13 substantially corresponding to section 710e.

14 (f) A violation of section 328(1) if, before the appearance
15 date on the citation, the person submits proof to the court that
16 the motor vehicle had insurance meeting the requirements of
17 sections 3101 and 3102 of the insurance code of 1956, 1956 PA 218,
18 MCL 500.3101 and 500.3102, at the time the citation was issued.
19 Insurance obtained subsequent to the time of the violation does not
20 make the violation an exception under this subsection.

21 (g) A violation described in section 319b(10)(b)(vii) if,
22 before the court appearance date or date fines are to be paid, the
23 person submits proof to the court that he or she held a valid
24 commercial driver license on the date the citation was issued.

25 (h) A violation of section 311 if the person was driving a
26 noncommercial vehicle and, before the court appearance date or the
27 date fines are to be paid, the person submits proof to the court

1 that he or she held a valid driver license on the date the citation
2 was issued.

3 (i) A violation of section 602b(1) or 602c.

4 (17) Except as otherwise provided in this subsection, the
5 secretary of state shall discard and not enter on the master
6 driving record an abstract for a bond forfeiture that occurred
7 outside this state. The secretary of state shall enter on the
8 master driving record an abstract for a conviction as defined in
9 section 8a(b) that occurred outside this state in connection with
10 the operation of a commercial motor vehicle or for a conviction of
11 a person licensed as a commercial motor vehicle driver.

12 (18) The secretary of state shall inform the courts of this
13 state of the nonmoving violations and violations of chapter II that
14 are used by the secretary of state as the basis for the suspension,
15 restriction, revocation, or denial of an operator's or chauffeur's
16 license.

17 (19) If a conviction or civil infraction determination is
18 reversed upon appeal, the person whose conviction or determination
19 has been reversed may serve on the secretary of state a certified
20 copy of the order of reversal. The secretary of state shall enter
21 the order in the proper book or index in connection with the record
22 of the conviction or civil infraction determination.

23 (20) The secretary of state may permit a city or village
24 department, bureau, person, or court to modify the requirement as
25 to the time and manner of reporting a conviction, civil infraction
26 determination, or settlement to the secretary of state if the
27 modification will increase the economy and efficiency of collecting

1 and utilizing the records. If the permitted abstract of court
2 record reporting a conviction, civil infraction determination, or
3 settlement originates as a part of the written notice to appear,
4 authorized in section 728(1) or 742(1), the form of the written
5 notice and report ~~shall~~**MUST** be as prescribed by the secretary of
6 state.

7 (21) Notwithstanding any other law of this state, a court
8 shall not take under advisement an offense committed by a person
9 while operating a motor vehicle for which this act requires a
10 conviction or civil infraction determination to be reported to the
11 secretary of state. A conviction or civil infraction determination
12 that is the subject of this subsection ~~shall~~**MUST** not be masked,
13 delayed, diverted, suspended, or suppressed by a court. Upon a
14 conviction or civil infraction determination, the conviction or
15 civil infraction determination ~~shall~~**MUST** immediately be reported
16 to the secretary of state in accordance with this section.

17 (22) Except as provided in this act and notwithstanding any
18 other provision of law, a court shall not order expunction of any
19 violation reportable to the secretary of state under this section.

20 Enacting section 1. This amendatory act takes effect January
21 1, 2018.