



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 278 (Substitute S-2 as reported)
Senate Bill 279 (Substitute S-1 as reported)
Sponsor: Senator Tom Barrett (S.B. 278)
Senator Curtis Hertel, Jr. (S.B. 279)
Committee: Transportation and Infrastructure

CONTENT

Senate Bill 278 (S-2) would amend the Michigan Vehicle Code to do the following:

- Allow the owner of a motor vehicle who was applying for a vehicle registration or a renewal of a vehicle registration to elect a communication impediment designation if he or she provided to the Secretary of State (SOS) a certification signed by a licensed medical professional that identified the individual for whom the designation was being elected and the nature of the impediment.
- Allow an applicant for an original or renewal operator's or chauffer's license to elect a communication impediment designation if he or she provided to the SOS a certification described above.
- Prohibit a person from intentionally making a false statement of material fact or committing or attempting to commit deception or fraud while seeking an election, and prescribe a misdemeanor penalty for a violation.
- Provide certain circumstances under which the SOS could cancel or revoke a communication impediment designation.

Related to a motor vehicle registration, "communication impediment" would mean the owner of a motor vehicle, or an individual who resides in the same household as the owner, has one or more of the following health conditions that may impede communication with a police officer during a traffic stop: a) deafness or hearing loss, or b) an autism disorder. Related to an operator's or chauffer's license, the term would mean the operator or chauffeur has one or more of the following health conditions that may impede communication with a police officer during a traffic stop: a) deafness or hearing loss, or b) an autism disorder.

Senate Bill 279 (S-1) would amend the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to do the following:

- Require the SOS to allow an applicant for an enhanced driver license to elect a communication impediment designation.
- Authorize the SOS to cancel or revoke a communication impediment designation under circumstances prescribed by Senate Bill 278 (S-2).

Senate Bill 279 is tie-barred to Senate Bill 278. Senate Bill 278 (S-2) would take effect on July 1, 2021.

MCL 257.221 & 257.310 (S.B. 278)
28.305 (S.B. 279)

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bills would increase costs to the Department of State by an indeterminate amount. The requirements to provide an option for individuals to elect a communication impediment designation on enhanced driver licenses or vehicle registrations would result in the Department having to reprogram two systems: one for the enhanced driver licenses and another for the vehicle registrations, which would result in additional costs for the Department. These costs are indeterminate and would depend on whether the changes to the systems could be incorporated into the Department's current upgrade of its computer and software systems. If not, additional programming and software updates could be necessary, which would increase the costs to the Department.

Senate Bill 278 (S-2) would have an additional negative fiscal impact on the State and local government. New misdemeanor arrests and convictions under the bill could increase resource demands on law enforcement, court systems, community supervision, and jails. However, it is unknown how many people would be prosecuted under the bill's provisions. Any additional revenue from imposed fines would go to local libraries.

Date Completed: 6-7-19

Fiscal Analyst: Joe Carrasco