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House Bill 6192 (as passed by the House) Sponsor: Representative Jack O'Malley House Committee: Transportation

Wavs and Means

Senate Committee: Transportation and Infrastructure

Date Completed: 9-21-20

CONTENT

The bill would amend the Motor Vehicle Code to do the following:

- -- Beginning October 1, 2020, require an individual to provide to the Secretary of State (SOS) a certificate obtained from a friend of the court (FOC) for the reinstatement of a suspended license within 10 days after the date of issuance noted on the certificate.
- -- Specify that, beginning on October 1, 2020, if an individual provided a copy of a certificate obtained as described above to the SOS more than 10 days after its date of issuance then it would no longer be valid and prohibit the SOS from reinstating the individual's license.

Under the Code, if an FOC notifies the SOS that a licensee has failed to appear for a hearing, comply with a repayment plan order, or respond to a license suspension notice under the Support and Parenting Time Enforcement Act, the SOS must suspend the licensee's driver license immediately and must notify the licensee of the suspension by first-class mail. If an individual's license is suspended in this manner, the SOS may not issue a license to the individual if his or her license is already suspended, revoked, or denied or if the individual does not have a license to suspend until he or she complies with the provision below and other provisions of the Code.

The Code specifies that a suspension imposed as described above remains in effect until all the following occur:

- -- The individual pays the reinstatement fee imposed by the Code.
- -- The individual pays to the circuit court clerk a \$45 driver license clearance fee.

In addition, the suspension remains in effect until the individual obtains a certificate from the FOC showing that he or she is complying with the custody, parenting time, or support order, and provides that certificate to the SOS. Under the bill, beginning on October 1, 2020, the individual would have to provide the certificate obtained from the FOC to the SOS within 10 days after the date of issuance noted on the certificate.

The bill also specifies that beginning on October 1, 2020, if an individual provided a copy of a certificate to the SOS more than 10 days after the date noted on the certificate, the certificate would no longer be valid, and the SOS could not reinstate the individual's license. An individual who failed to provide a copy of the certificate to the SOS within 10 days after the date of

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issuance would have to obtain another certificate from the FOC and satisfy the requirements described above before the SOS reinstated his or her license.

MCL 257.306 & 257.321c Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

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

Fiscal Analyst: Joe Carrasco

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

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