

**SENATE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR
SENATE BILL NO. 73**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 40b, 216, 226, 233a, 255, 301, 306, 306a, 307,
309, 310, 312f, 312k, 314, and 801k (MCL 257.40b, 257.216, 257.226,
257.233a, 257.255, 257.301, 257.306, 257.306a, 257.307, 257.309,
257.310, 257.312f, 257.312k, 257.314, and 257.801k), section 40b as
amended by 2012 PA 498, sections 216, 226, 255, 301, 306, 306a,
309, 312f, 312k, 314, and 801k as amended by 2020 PA 241, section
233a as amended by 2000 PA 82, section 307 as amended by 2018 PA
604, and section 310 as amended by 2020 PA 93, and by adding
section 310f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40b. (1) "Personal information" means information that

1 identifies an individual, including the individual's photograph or
2 image, name, address (but not the zip code), driver license number,
3 ~~social security~~ **Social Security** number, telephone number, digitized
4 signature, and medical and disability information. Personal
5 information does not include information on driving and equipment-
6 related violations or civil infractions, driver or vehicle
7 registration status, vehicular accidents, or other behaviorally-
8 related information.

9 (2) "Highly restricted personal information" means an
10 individual's photograph or image, ~~social security~~ **Social Security**
11 number, digitized signature, medical and disability information,
12 and source documents presented by an applicant to obtain an
13 operator's or chauffeur's license under section 307(1). Highly
14 restricted personal information also includes **the confidential**
15 **address of an individual certified as a program participant in the**
16 **address confidentiality program under the address confidentiality**
17 **program act and the** emergency contact information under section
18 310(13). **As used in this subsection, "confidential address" means**
19 **that term as defined in section 3 of the address confidentiality**
20 **program act.**

21 Sec. 216. (1) Every motor vehicle, recreational vehicle,
22 trailer, semitrailer, and pole trailer, when driven or moved on a
23 street or highway, is subject to the registration and certificate
24 of title provisions of this act except the following:

25 (a) A vehicle driven or moved on a street or highway in
26 conformance with the provisions of this act relating to
27 manufacturers, transporters, dealers, or nonresidents.

28 (b) A vehicle that is driven or moved on a street or highway
29 only for the purpose of crossing that street or highway from 1

1 property to another.

2 (c) An implement of husbandry.

3 (d) Special mobile equipment. The secretary of state may issue
4 a special registration to an individual, partnership, corporation,
5 or association not licensed as a dealer that pays the required fee,
6 to identify special mobile equipment that is driven or moved on a
7 street or highway.

8 (e) A vehicle that is propelled exclusively by electric power
9 obtained from overhead trolley wires though not operated on rails.

10 (f) Any vehicle subject to registration, but owned by the
11 government of the United States.

12 (g) A certificate of title is not required for a trailer,
13 semitrailer, or pole trailer that weighs less than 2,500 pounds.

14 (h) A vehicle driven or moved on a street or highway, by the
15 most direct route, only for the purpose of securing a scale weight
16 receipt from a weighmaster for purposes of section 801 or obtaining
17 a vehicle inspection by a law enforcement agency before titling or
18 registration of that vehicle.

19 (i) A certificate of title is not required for a vehicle owned
20 by a manufacturer or dealer and held for sale or lease, even though
21 incidentally moved on a street or highway or used for purposes of
22 testing or demonstration.

23 (j) A bus or a school bus that is not self-propelled and is
24 used exclusively as a construction shanty.

25 (k) A certificate of title is not required for a moped.

26 (l) Except as otherwise provided in subsection (3), for 3 days
27 immediately following the date of a properly assigned title or
28 signed lease agreement from any person other than a dealer, a
29 registration is not required for a vehicle driven or moved on a

1 street or highway for the sole purpose of transporting the vehicle
2 by the most direct route from the place of purchase or lease to a
3 place of storage if the driver has in his or her possession the
4 assigned title showing the date of sale or a lease agreement
5 showing the date of the lease.

6 (m) A certificate of registration is not required for a pickup
7 camper, but a certificate of title is required.

8 (n) A new motor vehicle driven or moved on a street or highway
9 only for the purpose of moving the vehicle from an accident site to
10 a storage location if the vehicle was being transported on a
11 railroad car or semitrailer that was involved in a disabling
12 accident.

13 (o) A boat lift used for transporting vessels between a marina
14 or a body of water and a place of inland storage.

15 (2) Except as otherwise provided in this subsection, a
16 registration issued to a motor vehicle, recreational vehicle,
17 trailer, semitrailer, or pole trailer, when driven or moved on a
18 street or highway, that expires on or after March 1, 2020 is valid
19 until ~~December 11, 2020.~~ **March 31, 2021.** If the registration issued
20 to a motor vehicle, recreational vehicle, trailer, semitrailer, or
21 pole trailer, when driven or moved on a street or highway, that is
22 used for commercial purposes expires on or after March 1, 2020, the
23 registration is valid until ~~December 11, 2020.~~ **March 31, 2021.**

24 (3) Notwithstanding any provision of law to the contrary,
25 until ~~December 11, 2020,~~ **March 31, 2021,** a properly assigned title
26 or signed lease agreement from any person other than a dealer is
27 considered proof of registration of the vehicle.

28 Sec. 226. (1) Except as otherwise provided in subsection (13),
29 a vehicle registration issued by the secretary of state expires on

1 the owner's birthday, unless another expiration date is provided
2 for under this act or unless the registration is for the following
3 vehicles, in which case registration expires on the last day of
4 February:

5 (a) A commercial vehicle except for a commercial vehicle
6 issued a registration under the international registration plan or
7 a pickup truck or van owned by an individual.

8 (b) Except for a trailer or semitrailer issued a registration
9 under the international registration plan, a trailer or semitrailer
10 owned by a business, corporation, or person other than an
11 individual; or a pole trailer.

12 (2) Except as otherwise provided in subsection (13), the
13 expiration date for a registration issued for a motorcycle is the
14 motorcycle owner's birthday.

15 (3) The expiration date for a registration bearing the letters
16 "SEN" or "REP" is February 1.

17 (4) In the case of a vehicle owned by a business, corporation,
18 or an owner other than an individual, the secretary of state may
19 assign or reassign the expiration date of the registration.

20 (5) The secretary of state shall do all of the following:

21 (a) After the October 1 immediately preceding the year
22 designated on the registration, issue a registration upon
23 application and payment of the proper fee for a commercial vehicle,
24 other than a pickup or van owned by an individual; or a trailer
25 owned by a business, corporation, or person other than an
26 individual.

27 (b) Beginning 60 days before the expiration date assigned on
28 an international registration plan registration plate, issue a
29 registration under section 801g upon application and payment of the

1 proper apportioned fee for a commercial vehicle engaged in
2 interstate commerce.

3 (c) Beginning 45 days before the owner's birthday and 120 days
4 before the expiration date assigned by the secretary of state,
5 issue a registration for a vehicle other than those designated in
6 subsection (1)(a) or (b). However, if an owner whose registration
7 period begins 45 days before his or her birthday will be out of the
8 state during the 45 days immediately preceding expiration of a
9 registration or for other good cause shown cannot apply for a
10 renewal registration within the 45-day period, application for a
11 renewal registration may be made not more than 6 months before
12 expiration.

13 (6) Except as otherwise provided in this subsection, the
14 secretary of state, upon application and payment of the proper fee,
15 shall issue a registration for a vehicle or a motorcycle to a
16 resident that expires on the owner's birthday. If the owner's next
17 birthday is at least 6 months but not more than 12 months in the
18 future, the owner shall receive a registration valid until the
19 owner's next birthday. If the owner's next birthday is less than 6
20 months in the future, the owner shall receive a registration valid
21 until the owner's birthday following the owner's next birthday. The
22 tax required under this act for a registration described in this
23 subsection is either of the following:

24 (a) For an original registration, the tax must bear the same
25 relationship to the tax required under section 801 for a 12-month
26 registration as the length of the registration bears to 12 months.

27 (b) For a renewal of a registration, either of the following:

28 (i) For a registration that is for at least 6 months but not
29 more than 12 months, the same amount as for 12 months.

1 (ii) For a renewal of a registration that is for more than 12
2 months, 2 times the amount for 12 months.

3 Partial months must be considered as whole months in the
4 calculation of the required tax and in the determination of the
5 length of time between the application for a registration and the
6 owner's next birthday. The tax required for that registration must
7 be rounded off to whole dollars as provided in section 801.

8 (7) A certificate of title remains valid until canceled by the
9 secretary of state for cause or upon a transfer of an interest
10 shown on the certificate of title.

11 (8) The secretary of state, upon request, shall issue special
12 registration for commercial vehicles, valid for 6 months after the
13 date of issue, if the full registration fee exceeds \$50.00, on the
14 payment of 1/2 the full registration fee and a service charge as
15 enumerated in section 802(1).

16 (9) The secretary of state may issue a special registration
17 for each of the following:

18 (a) A new vehicle purchased or leased outside of this state
19 and delivered in this state to the purchaser or lessee by the
20 manufacturer of that vehicle for removal to a place outside of this
21 state, if a certification is made that the vehicle will be
22 primarily used, stored, and registered outside of this state and
23 will not be returned to this state by the purchaser or lessee for
24 use or storage.

25 (b) A vehicle purchased or leased in this state and delivered
26 to the purchaser or lessee by a dealer or by the owner of the
27 vehicle for removal to a place outside of this state, if a
28 certification is made that the vehicle will be primarily used,
29 stored, and registered outside of this state and will not be

1 returned to this state by the purchaser or lessee for use or
2 storage.

3 (10) A special registration issued under subsection (9) is
4 valid for not more than 30 days after the date of issuance, and a
5 fee must be collected for each special registration as provided in
6 section 802(3). The special registration may be in the form
7 determined by the secretary of state. If a dealer makes a retail
8 sale or lease of a vehicle to a purchaser or lessee who is
9 qualified and eligible to obtain a special registration, the dealer
10 shall apply for the special registration for the purchaser or
11 lessee. If a person other than a dealer sells or leases a vehicle
12 to a purchaser or lessee who is qualified and eligible to obtain a
13 special registration, the purchaser or lessee shall appear in
14 person, or by a person exercising the purchaser's or lessee's power
15 of attorney, at an office of the secretary of state and furnish a
16 certification that the person is the bona fide purchaser or lessee
17 or that the person has granted the power of attorney, together with
18 other forms required for the issuance of the special registration
19 and provide the secretary of state with proof that the vehicle is
20 covered by an automobile insurance policy issued under section 3101
21 of the insurance code of 1956, 1956 PA 218, MCL 500.3101, or proof
22 that the vehicle is covered by a policy of insurance issued by an
23 insurer under section 3163 of the insurance code of 1956, 1956 PA
24 218, MCL 500.3163. The certification required in this subsection
25 must contain all of the following:

26 (a) The address of the purchaser or lessee.

27 (b) A statement that the vehicle is purchased or leased for
28 registration outside of this state.

29 (c) A statement that the vehicle must be primarily used,

1 stored, and registered outside of this state.

2 (d) The name of the jurisdiction in which the vehicle is to be
3 registered.

4 (e) Other information requested by the secretary of state.

5 (11) In the case of a commercial vehicle, trailer, or
6 semitrailer issued a registration under the international
7 registration plan, the secretary of state in mutual agreement with
8 the owner may assign or reassign the expiration date of the
9 registration. However, the expiration date agreed to must be either
10 March 31, June 30, September 30, or December 31 or beginning on
11 February 19, 2019, the last day of a calendar month. Renewals
12 expiring on or after June 30, 2020 must be for a minimum of at
13 least 12 months if there is a change in the established expiration
14 date. Notwithstanding the provisions of this subsection, a
15 commercial vehicle, trailer, or semitrailer registration issued
16 under this subsection that expires on or after March 1, 2020 is
17 valid until ~~December 11, 2020.~~**March 31, 2021.**

18 (12) The expiration date for a multiyear registration issued
19 for a leased vehicle must be the date the lease expires but must
20 not be for a period longer than 24 months.

21 (13) A vehicle registration described in subsection (1) or a
22 motorcycle registration described in subsection (2) that expires on
23 or after March 1, 2020 is valid until ~~December 11, 2020.~~**March 31,**
24 **2021.**

25 Sec. 233a. (1) When the owner of a registered motor vehicle
26 transfers his or her title or interest in that vehicle, the
27 transferor shall present to the transferee before delivery of the
28 vehicle, written disclosure of odometer mileage by means of the
29 certificate of title or a written statement signed by the

1 transferor including the transferor's printed name, containing all
2 of the following:

3 (a) The odometer reading at the time of transfer not to
4 include the tenths of a mile or kilometer.

5 (b) The date of transfer.

6 (c) The transferor's name and current address.

7 (d) The transferee's name and current address.

8 (e) The identity of the vehicle, including its make, model,
9 body type, year, and vehicle identification number.

10 (f) A reference to this section and comparable federal law,
11 and a statement that failing to complete the title or form or
12 providing false information may result in civil liability and civil
13 or criminal penalties being imposed on the transferor.

14 (g) One of the following:

15 (i) A statement by the transferor certifying that to the best
16 of his or her knowledge the odometer reading reflects the actual
17 mileage of the vehicle.

18 (ii) If the transferor knows that the odometer reading reflects
19 the amount of mileage in excess of the designed mechanical odometer
20 limit, a statement to that effect.

21 (iii) If the transfer knows that the odometer reading differs
22 from the mileage and the difference is greater than that caused by
23 odometer calibration error, a statement that the odometer reading
24 does not reflect the actual mileage and should not be relied upon.
25 This notice ~~shall~~**must** include a warning notice to alert the
26 transferee that a discrepancy exists between the odometer and the
27 actual mileage.

28 (h) Space for the signature and printed name of the
29 transferee, and the date of presentation to the transferee.

1 (2) A certificate of title and a dealer reassignment form
2 ~~shall~~**must** contain a place for the information required by
3 subsection (1)(a) to (h). If the vehicle is not titled or the title
4 does not contain a space for the required information, a written
5 statement ~~shall~~**must** be provided as a separate document.

6 (3) A dealer selling or exchanging vehicles required to be
7 titled under this act shall present the certificate of title or
8 written statement and any reassigned titles in his or her
9 possession to the transferee. The transferee or the transferee's
10 agent shall inspect, print his or her name, sign, and date the
11 certificate or statement and return it to the transferor for
12 submission to the secretary of state. If neither the transferee nor
13 transferor is a dealer licensed under this act, completing the
14 odometer information on the certificate of title ~~shall~~**must** be
15 considered to comply with subsection (1). A person shall not sign
16 an odometer disclosure statement as both the transferor and
17 transferee in the same transaction.

18 (4) A new or used vehicle dealer shall obtain from the
19 transferor a completed odometer mileage statement which meets the
20 requirements of subsection (1) with each motor vehicle acquired by
21 the dealer. The dealer shall not accept nor provide an odometer
22 mileage statement or a title which contains a place for odometer
23 information which has not been completely filled in by the
24 transferor.

25 (5) The odometer information described in subsection (1) ~~shall~~
26 **must** not be required for any of the following:

27 (a) Vehicles having a gross vehicle weight rating of more than
28 16,000 pounds.

29 (b) A vehicle that is not self-propelled.

1 (c) A vehicle ~~that is 10 years old, or older.~~**manufactured in**
2 **or before the 2010 model year that is transferred at least 10 years**
3 **after January 1 of the calendar year that is included in the model**
4 **year in which the vehicle is manufactured.**

5 (d) A vehicle manufactured in or after the 2011 model year
6 that is transferred at least 20 years after January 1 of the
7 calendar year that is included in the model year in which the
8 vehicle was manufactured.

9 (e) ~~(d)~~ A new vehicle transferred from a manufacturer to a
10 dealer.

11 (f) ~~(e)~~ A vehicle sold directly by the manufacturer to an
12 agency of the United States in conformity with contractual
13 specifications.

14 (g) ~~(f)~~ A low-speed vehicle.

15 (6) A person shall not alter, set back, or disconnect an
16 odometer; cause or allow an odometer to be altered, set back, or
17 disconnected; or advertise for sale, sell, use, install, or cause
18 or allow to be installed a device which causes an odometer to
19 register other than the actual mileage driven. This subsection does
20 not prohibit the service, repair, or replacement of an odometer if
21 the mileage indicated on the odometer remains the same as before
22 the service, repair, or replacement. If the odometer is incapable
23 of registering the same mileage as before the service, repair, or
24 replacement, the odometer ~~shall~~**must** be adjusted to read zero and a
25 notice in writing ~~shall~~**must** be attached to the left door frame of
26 the vehicle by the owner or his or her agent specifying the mileage
27 prior to service, repair, or replacement of the odometer and the
28 date on which it was serviced, repaired, or replaced. A person
29 shall not remove, deface, or alter any notice affixed to a motor

1 vehicle pursuant to this subsection.

2 (7) A person who violates subsection (6) is guilty of a
3 felony.

4 (8) Before executing a transfer of ownership document, a
5 lessor of a leased vehicle shall notify the lessee in writing that
6 ownership of the vehicle is being transferred and that the lessee
7 is required to provide a written statement to the lessor regarding
8 the mileage of the vehicle. This notice ~~shall~~**must** inform the
9 lessee of the penalties for failure to comply with the requirement.

10 (9) Upon receiving notification from the lessor of a leased
11 vehicle that ownership of the vehicle is to be transferred, the
12 lessee shall furnish to the lessor a written statement regarding
13 the mileage of the vehicle. This statement ~~shall~~**must** be signed by
14 the lessee and ~~shall~~**must** contain all of the following:

15 (a) The printed name of the person making the statement.

16 (b) The current odometer reading, not including tenths of
17 miles.

18 (c) The date of the statement.

19 (d) The lessee's name and current address.

20 (e) The lessor's name and current address.

21 (f) The identity of the vehicle, including its make, model,
22 year, body type, and vehicle identification number.

23 (g) The date that the lessor notified the lessee of the
24 requirements of this subsection.

25 (h) The date that the completed disclosure statement was
26 received by lessor.

27 (i) The signature of the lessor.

28 (j) One of the following:

29 (i) A statement by the lessee certifying that to the best of

1 his or her knowledge the odometer reading reflects the actual
2 mileage of the vehicle.

3 (ii) If the lessee knows that the odometer reading reflects the
4 amount of mileage in excess of the designed mechanical odometer
5 limit, a statement to that effect.

6 (iii) If the lessee knows that the odometer reading differs from
7 the mileage and that the difference is greater than that caused by
8 odometer calibration error, a statement that the odometer reading
9 is not the actual mileage and should not be relied upon.

10 (10) If the lessor transfers a leased vehicle without
11 obtaining possession of the vehicle, the lessor may indicate on the
12 certificate of title the mileage disclosed by the lessee under
13 subsection (9), unless the lessor has reason to believe that the
14 mileage disclosed by the lessee does not reflect the actual mileage
15 of the vehicle.

16 (11) A dealer who is required by this section to execute an
17 odometer mileage statement shall retain for 5 years a photostatic,
18 carbon, or other facsimile copy of each odometer mileage statement
19 the dealer issues or receives. The dealer shall retain the odometer
20 mileage statements at his or her primary place of business in an
21 order that is appropriate to business requirements and that permits
22 systematic retrieval.

23 (12) A lessor shall retain for 5 years following the date of
24 transfer of ownership of each leased vehicle, the odometer mileage
25 statement received from the lessee. The lessor shall retain the
26 odometer mileage statements at his or her primary place of business
27 in an order that is appropriate to business requirements and that
28 permits systematic retrieval.

29 (13) An auction dealer or vehicle salvage pool operator shall

1 establish and retain at his or her primary place of business in an
2 order that is appropriate to business requirements and that permits
3 systematic retrieval, for 5 years following the date of sale of
4 each motor vehicle, the following records:

5 (a) The name and the most recent owner, other than the auction
6 dealer or salvage pool operator.

7 (b) The name of the buyer.

8 (c) The vehicle identification number.

9 (d) The odometer reading, not including the tenths of a mile,
10 on the date the auction dealer or salvage pool operator took
11 possession of the motor vehicle.

12 (14) A violation of subsection (1) or (6) by any dealer
13 licensed under this act is prima facie evidence of a fraudulent act
14 as provided in section 249.

15 (15) A person who, with intent to defraud, violates any
16 requirement under subsection (1) or (6), or a dealer who fails to
17 retain for 5 years each odometer mileage statement the dealer
18 receives and each odometer mileage statement furnished by the
19 dealer upon the sale of a vehicle, is liable in an amount equal to
20 3 times the amount of actual damages sustained or \$1,500.00
21 whichever is greater, and in the case of a successful recovery of
22 damages, the costs of the action together with reasonable
23 ~~attorney's~~**attorney** fees.

24 Sec. 255. (1) Except as otherwise provided in this chapter, a
25 person shall not operate, nor shall an owner knowingly permit to be
26 operated, upon any highway, a vehicle required to be registered
27 under this act unless, except as otherwise provided in this
28 subsection, no later than 30 days after the vehicle is registered
29 or the vehicle's registration is renewed, a valid registration

1 plate issued for the vehicle by the department for the current
2 registration year is attached to and displayed on the vehicle as
3 required by this chapter. For purposes of this subsection, a
4 printed or electronic copy of a valid registration or verification
5 of a valid registration through the L.E.I.N. is proof that the
6 vehicle is registered or that the vehicle's registration has been
7 renewed. A registration plate is not required for a wrecked or
8 disabled vehicle, or vehicle destined for repair or junking, that
9 is being transported or drawn on a highway by a wrecker or a
10 registered motor vehicle. The 30-day period described in this
11 subsection does not apply to the first registration of a vehicle
12 after a transfer of ownership or to a transfer registration under
13 section 809.

14 (2) Except as otherwise provided in this section, a person who
15 violates subsection (1) is responsible for a civil infraction.
16 However, if the vehicle is a commercial vehicle ~~which~~**that** is
17 required to be registered according to the schedule of elected
18 gross vehicle weights under section 801(1)(k), the person is guilty
19 of a misdemeanor punishable by imprisonment for not more than 90
20 days or a fine of not more than \$500.00, or both.

21 (3) A person who operates a vehicle licensed under the
22 international registration plan and does not have a valid
23 registration due to nonpayment of the apportioned fee is guilty of
24 a misdemeanor, punishable by imprisonment for not more than 90
25 days, or by a fine of not more than \$100.00, or both. In addition,
26 a police officer may impound the vehicle until a valid registration
27 is obtained. If the vehicle is impounded, the towing and storage
28 costs of the vehicle, and the care or preservation of the load in
29 the vehicle are the owner's responsibility. Vehicles impounded are

1 subject to a lien in the amount of the apportioned fee and any fine
2 and costs incurred under this subsection, subject to a valid lien
3 of prior record. If the apportioned fee, fine, and costs are not
4 paid within 90 days after impoundment, then following a hearing
5 before the judge or magistrate who imposed the fine and costs, the
6 judge or magistrate shall certify the unpaid judgment to the
7 prosecuting attorney of the county in which the violation occurred.
8 The prosecuting attorney shall enforce the lien by foreclosure sale
9 in accordance with the procedure authorized by law for chattel
10 mortgage foreclosures.

11 (4) A noncommercial vehicle registration described in
12 subsection (1) that expires on or after March 1, 2020 but is
13 renewed on or before ~~December 11, 2020~~ **March 31, 2021** is not in
14 violation of this section. A commercial vehicle registration
15 described in subsection (1) that expires on or after March 1, 2020
16 but is renewed on or before ~~December 11, 2020~~ **March 31, 2021** is not
17 in violation of this section.

18 Sec. 301. (1) Except as provided in this act, an individual
19 shall not drive a motor vehicle on a highway in this state unless
20 that individual has a valid operator's or chauffeur's license with
21 the appropriate group designation and indorsements for the type or
22 class of vehicle being driven or towed. A resident of this state
23 holding a commercial driver license group indorsement issued by
24 another state shall apply for a license transfer within 30 days
25 after establishing domicile in this state.

26 (2) An individual shall not receive a license to operate a
27 motor vehicle until that individual surrenders to the secretary of
28 state all valid licenses to operate a motor vehicle issued to that
29 individual by this or any state or certifies that he or she does

1 not possess a valid license. The secretary of state shall notify
2 the issuing state that the licensee is now licensed in this state.

3 (3) An individual shall not have more than 1 valid driver
4 license.

5 (4) An individual shall not drive a motor vehicle as a
6 chauffeur unless that individual holds a valid chauffeur's license.
7 An individual shall not receive a chauffeur's license until that
8 individual surrenders to the secretary of state a valid operator's
9 or chauffeur's license issued to that individual by this or any
10 state or certifies that he or she does not possess a valid license.

11 (5) An individual holding a valid chauffeur's license need not
12 procure an operator's license.

13 (6) An operator's or chauffeur's license that expires on or
14 after March 1, 2020 is valid until ~~December 11, 2020.~~**March 31,**
15 **2021.**

16 Sec. 306. (1) The secretary of state, on receiving an
17 application for a temporary instruction permit from an individual
18 who is 18 years of age or older, may issue that permit that
19 entitles the applicant, while carrying the permit, to drive a motor
20 vehicle other than a motor vehicle requiring an indorsement under
21 section 312a or a vehicle group designation under section 312e on
22 the highways for a period of 180 days when accompanied by a
23 licensed adult operator or chauffeur who is actually occupying a
24 seat beside the driver. A temporary instruction permit issued under
25 this subsection that expires on or after March 1, 2020 is valid
26 until ~~December 11, 2020.~~**March 31, 2021.**

27 (2) The secretary of state may issue an original operator's
28 license and designate level 1, 2, or 3 graduated licensing
29 provisions to an individual who is less than 18 years of age, has

1 been licensed in another state or country, and has satisfied the
2 applicable requirements of section 310e. An original operator's
3 license with a designated level 1, 2, or 3 graduated licensing
4 provision issued under this subsection that expires on or after
5 March 1, 2020 is valid until ~~December 11, 2020~~. **March 31, 2021.**

6 (3) A student enrolled in a driver education course as that
7 term is defined in section 3 of the driver education provider and
8 instructor act, 2006 PA 384, MCL 256.623, or a motorcycle safety
9 course approved by the department of state may operate a motor
10 vehicle that does not require a group designation under section
11 312e without holding an operator's license or permit while under
12 the direct supervision of the program instructor.

13 (4) A student enrolled in a driver education course as that
14 term is defined in section 3 of the driver education provider and
15 instructor act, 2006 PA 384, MCL 256.623, and who has successfully
16 completed 10 hours of classroom instruction and the equivalent of 2
17 hours of behind-the-wheel training may be issued a temporary driver
18 education certificate furnished by the department of state that
19 authorizes a student to drive a motor vehicle, other than a motor
20 vehicle that requires an indorsement under section 312a or a
21 vehicle group designation under section 312e, when accompanied by a
22 licensed parent or guardian, or when accompanied by a nonlicensed
23 parent or guardian and a licensed adult for the purpose of
24 receiving additional instruction until the end of the student's
25 driver education course. A temporary driver education certificate
26 issued under this subsection that expires on or after March 1, 2020
27 is valid until ~~December 11, 2020~~. **March 31, 2021.**

28 (5) Beginning January 1, 2015, the secretary of state, on
29 receiving proper application from an individual 16 or 17 years of

1 age who is enrolled in or has successfully completed an approved
2 motorcycle safety course under section 811a, or an individual who
3 is 18 years of age or older and who holds a valid operator's or
4 chauffeur's license, may issue a motorcycle temporary instruction
5 permit that entitles the applicant, while carrying the permit, to
6 operate a motorcycle on the public streets and highways for a
7 period of 180 days under the following conditions:

8 (a) The applicant shall operate the motorcycle under the
9 constant visual supervision of a licensed motorcycle operator who
10 is at least 18 years of age.

11 (b) The applicant shall not operate the motorcycle at night.

12 (c) The applicant shall not operate the motorcycle with a
13 passenger.

14 (d) The applicant shall not be eligible for more than 2
15 motorcycle temporary instruction permits in a 10-year period.

16 (6) A motorcycle temporary instruction permit issued under
17 subsection (5) that expires on or after March 1, 2020 is valid
18 until ~~December 11, 2020.~~ **March 31, 2021.**

19 Sec. 306a. (1) The secretary of state may issue a commercial
20 learner's permit that entitles an individual to drive a vehicle
21 requiring a vehicle group designation or indorsement under section
22 312e if all of the following apply:

23 (a) The individual submits a proper application and meets the
24 requirements of 49 CFR part 383.

25 (b) The individual is 18 years of age or older.

26 (c) The individual holds a valid operator's or chauffeur's
27 license that is not a restricted license.

28 (d) The individual passes the knowledge tests for an original
29 vehicle group designation or indorsement, as required by 49 CFR

1 part 383.

2 (e) If the individual is applying for a hazardous materials
 3 ~~indorsement~~, **endorsement**, he or she has been approved for the
 4 hazardous materials ~~indorsement~~ **endorsement** by the ~~federal~~
 5 ~~transportation security administration~~. **Federal Transportation**
 6 **Security Administration.**

7 (2) An individual issued a commercial learner's permit under
 8 subsection (1), or an equivalent commercial learner's permit issued
 9 by another jurisdiction, may operate a vehicle requiring a vehicle
 10 group designation or indorsement under section 312e, if all of the
 11 following apply:

12 (a) The individual has the permit and a valid operator's or
 13 chauffeur's license in his or her possession while operating the
 14 vehicle.

15 (b) The individual is accompanied by an instructor certified
 16 under the driver education provider and instructor act, 2006 PA
 17 384, MCL 256.621 to 256.705, or an adult with a valid operator's or
 18 chauffeur's license, and all of the following apply:

19 (i) The instructor or licensed adult has in his or her
 20 possession a valid license with a vehicle group designation and any
 21 indorsement necessary to operate the vehicle as provided in section
 22 312e.

23 (ii) The instructor or licensed adult is at all times
 24 physically present in the front seat of the vehicle next to the
 25 operator or, in the case of a passenger vehicle, directly behind
 26 the operator or in the first row behind the operator.

27 (iii) The instructor or licensed adult has the operator under
 28 observation and direct supervision.

29 (c) The individual shall not operate a vehicle transporting

hazardous materials as defined in 49 CFR part 383.

(d) If the individual has a permit to operate a tank vehicle, the individual may only operate an empty tank vehicle and shall not operate any tank vehicle that previously contained hazardous materials unless the tank has been purged of all hazardous material residue.

(e) If the individual has a permit to operate a vehicle designed to carry 16 or more passengers or a school bus, the individual shall not operate a vehicle designed to carry 16 or more passengers or a school bus with any passengers other than the following individuals:

- (i) The instructor or licensed adult described in this section.
- (ii) Federal or state auditors or inspectors.
- (iii) Test examiners.
- (iv) Other trainees.

(3) A commercial learner's permit issued under this section is valid for ~~180 days~~ **1 year** from the date of issuance. ~~An individual may apply 1 time to renew the permit for an additional 180 days without taking the knowledge tests described in subsection (1) if the individual applies for the renewal before the expiration of the original permit.~~

(4) Notwithstanding subsection (3), a commercial learner's permit issued under this section that expires on or after March 1, 2020 is valid until ~~December 11, 2020~~ **March 31, 2021**.

Sec. 307. (1) If an applicant for an operator's license or chauffeur's license to operate a noncommercial motor vehicle is a citizen of the United States, the applicant shall supply a photographic identity document, a birth certificate, or other sufficient documents as the secretary of state may require, to

1 verify the identity and citizenship of the applicant. If an
2 applicant for an operator's or chauffeur's license is not a citizen
3 of the United States, the applicant shall supply a photographic
4 identity document and other sufficient documents to verify the
5 identity of the applicant and the applicant's legal presence in the
6 United States under subdivision (b). The documents required under
7 this subsection must include the applicant's full legal name, date
8 of birth, and address and residency and demonstrate that the
9 applicant is a citizen of the United States or is legally present
10 in the United States. If the applicant's full legal name differs
11 from the name of the applicant that appears on a document presented
12 under this subsection, the applicant shall present documents to
13 verify his or her current full legal name. The secretary of state
14 shall accept as 1 of the required identification documents an
15 identification card issued by the department of corrections to
16 prisoners who are placed on parole or released from a correctional
17 facility, containing the prisoner's legal name, photograph, and
18 other information identifying the prisoner as provided in section
19 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237. An
20 application for an operator's or chauffeur's license must be made
21 in a manner prescribed by the secretary of state and must contain
22 all of the following:

23 (a) The applicant's full legal name, date of birth, residence
24 address, height, sex, eye color, signature, intent to make an
25 anatomical gift, other information required or permitted on the
26 license under this chapter, and, only to the extent required to
27 comply with federal law, the applicant's Social Security number.
28 The applicant may provide a mailing address if the applicant
29 receives mail at an address different from his or her residence

1 address.

2 (b) If the applicant is not a citizen of the United States,
3 the applicant shall provide, and the department shall verify,
4 documents demonstrating his or her legal presence in the United
5 States. Nothing in this act ~~shall~~**must** obligate or be construed to
6 obligate this state to comply with title II of the real ID act of
7 2005, Public Law 109-13. The secretary of state may adopt rules
8 under the administrative procedures act of 1969, 1969 PA 306, MCL
9 24.201 to 24.328, as are necessary for the administration of this
10 subdivision. A determination by the secretary of state that an
11 applicant is not legally present in the United States may be
12 appealed under section 631 of the revised judicature act of 1961,
13 1961 PA 236, MCL 600.631. The secretary of state shall not issue an
14 operator's license or a chauffeur's license to an applicant
15 described in this subdivision for a term that exceeds the duration
16 of the applicant's legal presence in the United States.

17 (c) The following notice must be included to inform the
18 applicant that under sections 509o and 509r of the Michigan
19 election law, 1954 PA 116, MCL 168.509o and 168.509r, the secretary
20 of state is required to use the residence address provided on this
21 application as the applicant's residence address on the qualified
22 voter file for voter registration and voting:

23 "NOTICE: Michigan law requires that the same address
24 be used for voter registration and driver license
25 purposes. Therefore, if the residence address
26 you provide in this application differs from your
27 voter registration address as it appears on the
28 qualified voter file, the secretary of state
29 will automatically change your voter registration

1 to match the residence address on this application,
2 after which your voter registration at your former
3 address will no longer be valid for voting purposes.
4 A new voter registration card, containing the
5 information of your polling place, will be provided
6 to you by the clerk of the jurisdiction where your
7 residence address is located.".

8 (d) For an original or renewal operator's or chauffeur's
9 license with a vehicle group designation or indorsement, the names
10 of all states where the applicant has been licensed to drive any
11 type of motor vehicle during the previous 10 years.

12 (e) For an operator's or chauffeur's license with a vehicle
13 group designation or indorsement, the following certifications by
14 the applicant:

15 (i) The applicant meets the applicable federal driver
16 qualification requirements under 49 CFR parts 383 and 391 or meets
17 the applicable qualifications of the department of state police
18 under the motor carrier safety act of 1963, 1963 PA 181, MCL 480.11
19 to 480.25.

20 (ii) The vehicle in which the applicant will take the driving
21 skills tests is representative of the type of vehicle the applicant
22 operates or intends to operate.

23 (iii) The applicant is not subject to disqualification by the
24 United States Secretary of Transportation, or a suspension,
25 revocation, or cancellation under any state law for conviction of
26 an offense described in section 312f or 319b.

27 (iv) The applicant does not have a driver's license from more
28 than 1 state or jurisdiction.

29 (f) An applicant for an operator's or chauffeur's license with

1 a vehicle group designation and a hazardous material ~~indorsement~~
2 **endorsement** shall provide his or her fingerprints as prescribed by
3 state and federal law.

4 (g) For automatic voter registration purposes under section
5 493a of the Michigan election law, 1954 PA 116, MCL 168.493a, a
6 space for the applicant to indicate on the application or change of
7 address application whether he or she is a citizen of the United
8 States.

9 (h) A space to allow the applicant to indicate that the
10 applicant declines to use the application as a voter registration
11 application.

12 (i) **Beginning 180 days after the effective date of the**
13 **amendatory act that added this subdivision, an applicant for an**
14 **operator's or chauffeur's license who is a program participant in**
15 **the address confidentiality program under the address**
16 **confidentiality program act shall present to the secretary of state**
17 **his or her participation card issued under the address**
18 **confidentiality program act.**

19 (2) An applicant for an operator's or chauffeur's license may
20 have his or her image and signature captured or reproduced when the
21 application for the license is made. The secretary of state shall
22 acquire equipment purchased or leased under this section under
23 standard purchasing procedures of the department of technology,
24 management, and budget based on standards and specifications
25 established by the secretary of state. The secretary of state shall
26 not purchase or lease equipment until an appropriation for the
27 equipment has been made by the legislature. A digital photographic
28 image and signature captured under this section must appear on the
29 applicant's operator's license or chauffeur's license. ~~A person's~~

1 **An individual's** digital photographic image and signature shall be
2 used as follows:

3 (a) By a federal, state, or local governmental agency for a
4 law enforcement purpose authorized by law.

5 (b) By the secretary of state for a use specifically
6 authorized by law.

7 (c) By the secretary of state for forwarding to the department
8 of state police the images of persons required to be registered
9 under the sex offenders registration act, 1994 PA 295, MCL 28.721
10 to 28.736, upon the department of state police providing the
11 secretary of state an updated list of the names of those persons.

12 (d) By the secretary of state for forwarding to the department
13 of state police as provided in section 5c of 1927 PA 372, MCL
14 28.425c.

15 (e) By the secretary of state for forwarding to the department
16 of licensing and regulatory affairs the images of applicants for an
17 official state registry identification card issued under section 6
18 of the Michigan ~~medical marihuana act~~, **Medical Marihuana Act**, 2008
19 IL 1, MCL 333.26426, if the department of licensing and regulatory
20 affairs promulgates rules requiring a photograph as a design
21 element for an official state registry identification card.

22 (f) As necessary to comply with a law of this state or of the
23 United States.

24 (3) An application must contain a signature or verification
25 and certification by the applicant, as determined by the secretary
26 of state, and must be accompanied by the proper fee. The secretary
27 of state shall collect the application fee with the application.
28 The secretary of state shall refund the application fee to the
29 applicant if the license applied for is denied, but shall not

1 refund the fee to an applicant who fails to complete the
2 examination requirements of the secretary of state within 90 days
3 after the date of application for a license.

4 (4) In conjunction with the application for an original or
5 renewal operator's license or chauffeur's license, the secretary of
6 state shall do all of the following:

7 (a) If the applicant is not a participant in the anatomical
8 gift donor registry program, specifically inquire, either orally or
9 in writing, whether the applicant wishes to participate in the
10 anatomical gift donor registry program under part 101 of the public
11 health code, 1978 PA 368, MCL 333.10101 to 333.10123. If the
12 secretary of state or an employee of the secretary of state fails
13 to inquire whether an applicant wishes to participate in the
14 anatomical gift donor registry program as required by this
15 subdivision, neither the secretary of state nor the employee is
16 civilly or criminally liable for the failure to make the inquiry.

17 (b) Provide the applicant with all of the following:

18 (i) Information explaining the applicant's right to make an
19 anatomical gift in the event of death in accordance with section
20 310.

21 (ii) Information describing the anatomical gift donor registry
22 program under part 101 of the public health code, 1978 PA 368, MCL
23 333.10101 to 333.10123. The information required under this
24 subparagraph includes the address and telephone number of
25 Michigan's federally designated organ procurement organization as
26 that term is defined in section 10102 of the public health code,
27 1978 PA 368, MCL 333.10102, or its successor organization.

28 (iii) Information giving the applicant the opportunity to be
29 placed on the donor registry described in subparagraph (ii).

1 (c) Provide the applicant with the opportunity to specify on
2 his or her operator's or chauffeur's license that he or she is
3 willing to make an anatomical gift in the event of death in
4 accordance with section 310.

5 (d) Inform the applicant that, if he or she indicates to the
6 secretary of state under this section a willingness to have his or
7 her name placed on the donor registry described in subdivision
8 (b) (ii), the secretary of state will mark the applicant's record for
9 the donor registry.

10 (5) The secretary of state may fulfill the requirements of
11 subsection (4) by 1 or more of the following methods:

12 (a) Providing printed material enclosed with a mailed notice
13 for an operator's or chauffeur's license renewal or the issuance of
14 an operator's or chauffeur's license.

15 (b) Providing printed material to an applicant who personally
16 appears at a secretary of state branch office, or inquiring orally.

17 (c) Through electronic information transmittals for operator's
18 and chauffeur's licenses processed by electronic means.

19 (6) The secretary of state shall maintain a record of an
20 individual who indicates a willingness to have his or her name
21 placed on the donor registry described in subsection (4) (b) (ii).
22 Information about an applicant's indication of a willingness to
23 have his or her name placed on the donor registry that is obtained
24 by the secretary of state under subsection (4) and forwarded under
25 subsection (14) is exempt from disclosure under section 13(1) (d) of
26 the freedom of information act, 1976 PA 442, MCL 15.243. The
27 secretary of state is not required to maintain a record of an
28 individual who does not indicate a willingness to have his or her
29 name placed on the donor registry described in subsection (4) (b) (ii)

1 or an individual who does not respond to an inquiry under
2 subsection (4) (a).

3 (7) If an application is received from ~~a person~~**an individual**
4 previously licensed in another jurisdiction, the secretary of state
5 shall request a copy of the applicant's driving record and other
6 available information from the National Driver Register. When
7 received, the driving record and other available information become
8 a part of the driver's record in this state.

9 (8) If ~~a person~~**an individual** applies for a commercial
10 learner's permit for an original vehicle group designation or
11 indorsement to operate a commercial motor vehicle, the secretary of
12 state may verify the ~~person's~~**individual's** identity, may require
13 proof of Michigan domicile under 49 CFR 383.5, and may verify the
14 ~~person's~~**individual's** proof of United States citizenship or proof
15 of lawful permanent residency as required under 49 CFR 383.71 and
16 383.73, if that information is not on the ~~person's~~**individual's**
17 Michigan driving record. If ~~a person~~**an individual** applies for a
18 renewal of an operator's or chauffeur's license to operate a
19 commercial motor vehicle, the secretary of state may verify the
20 ~~person's~~**individual's** identity, may require proof of Michigan
21 domicile under 49 CFR 383.5, and may verify the ~~person's~~
22 **individual's** proof of citizenship or lawful permanent residency
23 under 49 CFR 383.71 and 383.73, if that information is not on the
24 ~~person's~~**individual's** Michigan driving record. If ~~a person~~**an**
25 **individual** applies for an upgrade of a vehicle group designation or
26 indorsement, the secretary of state may verify the ~~person's~~
27 **individual's** identity, may require proof of Michigan domicile under
28 49 CFR 383.5, and may verify the ~~person's~~**individual's** proof of
29 citizenship or lawful permanent residency under 49 CFR 383.71 and

383.73, if that information is not on the ~~person's-individual's~~ Michigan driving record. The secretary of state shall request the ~~person's-individual's~~ complete driving record from all states where the applicant was previously licensed to drive any type of motor vehicle over the last 10 years before issuing a vehicle group designation or indorsement to the applicant. If the applicant does not hold a valid commercial motor vehicle driver license from a state where he or she was licensed in the last 10 years, this complete driving record request must be made not earlier than 24 hours before the secretary of state issues the applicant a vehicle group designation or indorsement. For all other drivers, this request must be made not earlier than 10 days before the secretary of state issues the applicant a vehicle group designation or indorsement. If the application is for the renewal of a vehicle group designation or indorsement, and if the secretary of state enters on the ~~person's-individual's~~ driving record maintained under section 204a a notation that the request was made and the date of the request, the secretary of state is required to request the applicant's complete driving record from other states only once under this section. The secretary of state shall also check the applicant's driving record with the National Driver Register and the federal Commercial Driver's License Information System before issuing that group designation or indorsement.

(9) ~~Except for a vehicle group designation or indorsement or as provided in this subsection or section 314(5), the~~ **The** secretary of state may issue a renewal operator's or chauffeur's license for 1 additional 4-year period **or beginning on July 1, 2021, for 2 additional 4-year periods,** or until the ~~person-individual~~ is no longer determined to be legally present under this section by mail

1 or by other methods prescribed by the secretary of state. The
2 secretary of state may check the applicant's driving record through
3 the National Driver Register and the Commercial Driver's License
4 Information System before issuing a license under this section. The
5 secretary of state shall issue a renewal license only in person if
6 the ~~person-individual~~ is ~~a person-an individual~~ required under
7 section 5a of the sex offenders registration act, 1994 PA 295, MCL
8 28.725a, to maintain a valid operator's or chauffeur's license or
9 official state personal identification card. If a license is
10 renewed by mail or by other method, the secretary of state shall
11 issue evidence of renewal to indicate the date the license expires
12 in the future. The department of state police shall provide to the
13 secretary of state updated lists of ~~persons-individuals~~ required
14 under section 5a of the sex offenders registration act, 1994 PA
15 295, MCL 28.725a, to maintain a valid operator's or chauffeur's
16 license or official state personal identification card.

17 (10) Upon request, the secretary of state shall provide an
18 information manual to an applicant explaining how to obtain a
19 vehicle group designation or indorsement. The manual must contain
20 the information required under 49 CFR part 383.

21 (11) The secretary of state shall not disclose a Social
22 Security number obtained under subsection (1) to another person
23 except for use for 1 or more of the following purposes:

24 (a) Compliance with 49 USC 31301 to 31317 and regulations and
25 state law and rules related to this chapter.

26 (b) To carry out the purposes of section 466(a) of the social
27 security act, 42 USC 666, in connection with matters relating to
28 paternity, child support, or overdue child support.

29 (c) To check an applicant's driving record through the

1 National Driver Register and the Commercial Driver's License
2 Information System when issuing a license under this act.

3 (d) With the department of health and human services, for
4 comparison with vital records maintained by the department of
5 health and human services under part 28 of the public health code,
6 1978 PA 368, MCL 333.2801 to 333.2899.

7 (e) As otherwise required by law.

8 (12) The secretary of state shall not display ~~a person's~~**an**
9 **individual's** Social Security number on the ~~person's~~**individual's**
10 operator's or chauffeur's license.

11 (13) A requirement under this section to include a Social
12 Security number on an application does not apply to an applicant
13 who demonstrates that he or she is exempt under law from obtaining
14 a Social Security number.

15 (14) As required in section 10120 of the public health code,
16 1978 PA 368, MCL 333.10120, the secretary of state shall maintain
17 the donor registry in a manner that provides electronic access,
18 including, but not limited to, the transfer of data to this state's
19 federally designated organ procurement organization or its
20 successor organization, tissue banks, and eye banks, in a manner
21 that complies with that section.

22 (15) The secretary of state, with the approval of the state
23 administrative board created under 1921 PA 2, MCL 17.1 to 17.3, may
24 enter into agreements with the United States government to verify
25 whether an applicant for an operator's license or a chauffeur's
26 license under this section who is not a citizen of the United
27 States is authorized under federal law to be present in the United
28 States.

29 (16) The secretary of state shall not issue an operator's

1 license or a chauffeur's license to ~~a person~~ **an individual** holding
2 an operator's license or chauffeur's license issued by another
3 state without confirmation that the ~~person~~ **individual** is
4 terminating or has terminated the operator's license or chauffeur's
5 license issued by the other state.

6 (17) The secretary of state shall do all of the following:

7 (a) Ensure the physical security of locations where operator's
8 licenses and chauffeur's licenses are produced and the security of
9 document materials and papers from which operator's licenses and
10 chauffeur's licenses are produced.

11 (b) Subject all persons authorized to manufacture or produce
12 operator's licenses or chauffeur's licenses and all persons who
13 have the ability to affect the identity information that appears on
14 operator's licenses or chauffeur's licenses to appropriate security
15 clearance requirements. The security requirements of this
16 subdivision and subdivision (a) may require that licenses be
17 manufactured or produced in this state.

18 (c) Provide fraudulent document recognition programs to
19 department of state employees engaged in the issuance of operator's
20 licenses and chauffeur's licenses.

21 (18) The secretary of state shall have electronic access to
22 prisoner information maintained by the department of corrections
23 for the purpose of verifying the identity of a prisoner who applies
24 for an operator's or chauffeur's license under subsection (1).

25 Sec. 309. (1) Before issuing a license, the secretary of state
26 shall examine each applicant for an operator's or chauffeur's
27 license who at the time of the application is not the holder of a
28 valid, unrevoked operator's or chauffeur's license under a law of
29 this state providing for the licensing of drivers. Before the

1 secretary of state authorizes an individual to administer vehicle
2 group designation or endorsement knowledge tests, that individual
3 must successfully complete both a state and Federal Bureau of
4 Investigation fingerprint-based criminal history check or the
5 equivalent through the department of state police. In all other
6 cases, the secretary of state may waive the examination, except
7 that an examination must not be waived if it appears from the
8 application, from the apparent physical or mental condition of the
9 applicant, or from any other information that has come to the
10 secretary of state from another source, that the applicant does not
11 possess the physical, mental, or other qualifications necessary to
12 operate a motor vehicle in a manner as not to jeopardize the safety
13 of persons or property, or that the applicant is not entitled to a
14 license under section 303. A licensee who applies for the renewal
15 of his or her license by mail under section 307 shall certify to
16 his or her physical capability to operate a motor vehicle. The
17 secretary of state may check the applicant's driving record through
18 the National Driver Register and the Commercial Driver's License
19 Information System before issuing a license under this section.

20 (2) The secretary of state may appoint sheriffs, their
21 deputies, the chiefs of police of cities and villages that have
22 organized police departments within this state, their duly
23 authorized representatives, or employees of the secretary of state
24 as examining officers for the purpose of examining applicants for
25 operator's and chauffeur's licenses. An examining officer shall
26 conduct examinations of applicants for operator's and chauffeur's
27 licenses in accordance with this chapter and the rules promulgated
28 by the secretary of state under subsection (3). After conducting an
29 examination an examining officer shall make a written report of his

1 or her findings and recommendations to the secretary of state.

2 (3) The secretary of state shall promulgate rules under the
3 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
4 24.328, for the examination of the applicant's physical and mental
5 qualifications to operate a motor vehicle in a manner as not to
6 jeopardize the safety of persons or property, and shall ascertain
7 whether facts exist that would bar the issuance of a license under
8 section 303. The secretary of state may consider a written medical
9 report and recommendation submitted under section 5139 of the
10 public health code, 1978 PA 368, MCL 333.5139, from the personal
11 physician or optometrist of an applicant, in making the examination
12 regarding the applicant's physical and mental qualifications to
13 operate a motor vehicle under this section and R 257.851 to R
14 257.855 of the Michigan Administrative Code. A report received by
15 the secretary of state from a physician or an optometrist under
16 this section is confidential. The secretary of state shall also
17 ascertain whether the applicant has sufficient knowledge of the
18 English language to understand highway warnings or direction signs
19 written in that language. The examination must not include
20 investigation of facts other than those facts directly pertaining
21 to the ability of the applicant to operate a motor vehicle with
22 safety or facts declared to be prerequisite to the issuance of a
23 license under this act.

24 (4) The secretary of state shall not issue an original
25 operator's or chauffeur's license without a vehicle group
26 designation or indorsement without an examination that includes a
27 driving skills test conducted by the secretary of state or by a
28 designated examining officer under subsection (2) or section 310e.
29 The secretary of state may enter into an agreement with another

1 public or private corporation or agency to conduct a driving skills
2 test conducted under this section. Before the secretary of state
3 authorizes an individual to administer a corporation's or agency's
4 driver skills testing operations or authorizes an examiner to
5 conduct a driving skills test, that individual or examiner must
6 successfully complete both a state and Federal Bureau of
7 Investigation fingerprint-based criminal history check through the
8 department of state police as required by law and as provided under
9 49 CFR 384.228. In an agreement with another public or private
10 corporation or agency to conduct a driving skills test, the
11 secretary of state shall prescribe the method and examination
12 criteria to be followed by the corporation, agency, or examiner
13 when conducting the driving skills test and the form of the
14 certification to be issued to an individual who satisfactorily
15 completes a driving skills test. An original vehicle group
16 designation or indorsement shall not be issued by the secretary of
17 state without a knowledge test conducted by the secretary of state.
18 Except as provided in section 312f(1), an original vehicle group
19 designation or passenger or school bus indorsement must not be
20 issued by the secretary of state without a driving skills test
21 conducted by an examiner appointed or authorized by the secretary
22 of state or an equivalent driving skills test meeting the
23 requirements of 49 CFR part 383 conducted in another jurisdiction.

24 (5) Except as otherwise provided in this act, the secretary of
25 state may waive the requirement of a driving skills test, knowledge
26 test, or road sign test of an applicant for an original operator's
27 or chauffeur's license without a vehicle group designation or
28 indorsement who at the time of the application is the holder of a
29 valid, unrevoked operator's or chauffeur's license issued by

1 another state or country.

2 (6) A driving skills test conducted under this section must
3 include a behind-the-wheel road test. Before conducting a behind-
4 the-wheel road test for an applicant seeking a vehicle group
5 designation, including any upgrade to a vehicle group designation,
6 or for any indorsement required to operate a commercial motor
7 vehicle, the examiner shall determine that the applicant was issued
8 his or her commercial learner's permit not less than 14 days before
9 the date of that test and that he or she has that permit in his or
10 her possession.

11 (7) A person who corrupts or attempts to corrupt a designated
12 examining officer appointed or designated by the secretary of state
13 under this section or section 310e by giving, offering, or
14 promising any gift or gratuity with the intent to influence the
15 opinion or decision of the examining officer conducting the test is
16 guilty of a felony.

17 (8) A designated examining officer appointed or designated by
18 the secretary of state who conducts a driving skills test under an
19 agreement entered into under this section or section 310e and who
20 varies from, shortens, or in any other way changes the method or
21 examination criteria prescribed in that agreement in conducting a
22 driving skills test is guilty of a felony.

23 (9) A person who forges, counterfeits, or alters a
24 satisfactorily completed driving skills test certification issued
25 by a designated examining officer appointed or designated by the
26 secretary of state under this section or section 310e is guilty of
27 a felony.

28 (10) The secretary of state shall waive the requirement of a
29 written knowledge test, road sign test, and driving skills test of

1 an applicant for an original motorcycle endorsement if the person
2 has successfully passed a motorcycle safety course approved by the
3 department as described in sections 811a and 811b.

4 (11) An operator's or chauffeur's license that expires on or
5 after March 1, 2020 is valid until ~~December 11, 2020~~. **March 31,**
6 **2021.**

7 Sec. 310. (1) The secretary of state shall issue an operator's
8 license to each person licensed as an operator and a chauffeur's
9 license to each person licensed as a chauffeur. An applicant for a
10 motorcycle indorsement under section 312a or a vehicle group
11 designation or indorsement shall first qualify for an operator's or
12 chauffeur's license before the indorsement or vehicle group
13 designation application is accepted and processed. An original
14 license or the first renewal of an existing license issued to a
15 person less than 21 years of age must be portrait or vertical in
16 form and a license issued to a person 21 years of age or over must
17 be landscape or horizontal in form.

18 (2) The license issued under subsection (1) must contain all
19 of the following:

20 (a) The distinguishing number permanently assigned to the
21 licensee.

22 (b) ~~The~~ **Except as provided in section 310f, the** full legal
23 name, date of birth, address of residence, height, eye color, sex,
24 digital photographic image, expiration date, and signature of the
25 licensee.

26 (c) In the case of a licensee who has indicated his or her
27 wish to participate in the anatomical gift donor registry under
28 part 101 of the public health code, 1978 PA 368, MCL 333.10101 to
29 333.10123, a heart insignia on the front of the license.

1 (d) Physical security features designed to prevent tampering,
2 counterfeiting, or duplication of the license for fraudulent
3 purposes.

4 (e) If requested by an individual who is a veteran of the
5 armed forces of this state, another state, or the United States, a
6 designation that the individual is a veteran. The designation must
7 be in a style and format considered appropriate by the secretary of
8 state. The secretary of state shall require proof of discharge or
9 separation of service from the armed forces of this state, another
10 state, or the United States, and the nature of that discharge, for
11 the purposes of verifying an individual's status as a veteran under
12 this subdivision. The secretary of state shall consult with the
13 department of military and veterans affairs in determining the
14 proof that must be required to identify an individual's status as a
15 veteran for the purposes of this subsection. The secretary of state
16 may provide the department of military and veterans affairs and
17 agencies of the counties of this state that provide veteran
18 services with information provided by an applicant under this
19 subsection for the purpose of veterans' benefits eligibility
20 referral.

21 (3) Except as otherwise required under this chapter, other
22 information required on the license under this chapter may appear
23 on the license in a form prescribed by the secretary of state.

24 (4) The license must not contain a fingerprint or finger image
25 of the licensee.

26 (5) A digitized license may contain an identifier for voter
27 registration purposes. The digitized license may contain
28 information appearing in electronic or ~~machine-readable~~ **machine-**
29 **readable** codes needed to conduct a transaction with the secretary

1 of state. The information must be limited to the information
2 described in subsection (2) (a) and (b) except for the person's
3 digital photographic image and signature, state of issuance,
4 license expiration date, and other information necessary for use
5 with electronic devices, machine readers, or automatic teller
6 machines and must not contain the driving record or other personal
7 identifier. The license must identify the encoded information.

8 (6) The license must be manufactured in a manner to prohibit
9 as nearly as possible the ability to reproduce, alter, counterfeit,
10 forge, or duplicate the license without ready detection. In
11 addition, a license with a vehicle group designation must contain
12 the information required under 49 CFR part 383.

13 (7) Except as provided in subsection (11), a person who
14 intentionally reproduces, alters, counterfeits, forges, or
15 duplicates a license photograph, the negative of the photograph,
16 image, license, or electronic data contained on a license or a part
17 of a license or who uses a license, image, or photograph that has
18 been reproduced, altered, counterfeited, forged, or duplicated is
19 subject to 1 of the following:

20 (a) If the intent of the reproduction, alteration,
21 counterfeiting, forging, duplication, or use is to commit or aid in
22 the commission of an offense that is a felony punishable by
23 imprisonment for 10 or more years, the person committing the
24 reproduction, alteration, counterfeiting, forging, duplication, or
25 use is guilty of a felony, punishable by imprisonment for not more
26 than 10 years or a fine of not more than \$20,000.00, or both.

27 (b) If the intent of the reproduction, alteration,
28 counterfeiting, forging, duplication, or use is to commit or aid in
29 the commission of an offense that is a felony punishable by

1 imprisonment for less than 10 years or a misdemeanor punishable by
2 imprisonment for 6 months or more, the person committing the
3 reproduction, alteration, counterfeiting, forging, duplication, or
4 use is guilty of a felony, punishable by imprisonment for not more
5 than 5 years, or a fine of not more than \$10,000.00, or both.

6 (c) If the intent of the reproduction, alteration,
7 counterfeiting, forging, duplication, or use is to commit or aid in
8 the commission of an offense that is a misdemeanor punishable by
9 imprisonment for less than 6 months, the person committing the
10 reproduction, alteration, counterfeiting, forging, duplication, or
11 use is guilty of a misdemeanor punishable by imprisonment for not
12 more than 1 year or a fine of not more than \$2,000.00, or both.

13 (8) Except as provided in subsections (11) and (16), a person
14 who sells, or who possesses with the intent to deliver to another,
15 a reproduced, altered, counterfeited, forged, or duplicated license
16 photograph, negative of the photograph, image, license, or
17 electronic data contained on a license or part of a license is
18 guilty of a felony punishable by imprisonment for not more than 5
19 years or a fine of not more than \$10,000.00, or both.

20 (9) Except as provided in subsections (11) and (16), a person
21 who is in possession of 2 or more reproduced, altered,
22 counterfeited, forged, or duplicated license photographs, negatives
23 of the photograph, images, licenses, or electronic data contained
24 on a license or part of a license is guilty of a felony punishable
25 by imprisonment for not more than 5 years or a fine of not more
26 than \$10,000.00, or both.

27 (10) Except as provided in subsection (16), a person who is in
28 possession of a reproduced, altered, counterfeited, forged, or
29 duplicated license photograph, negative of the photograph, image,

1 license, or electronic data contained on a license or part of a
2 license is guilty of a misdemeanor punishable by imprisonment for
3 not more than 1 year or a fine of not more than \$2,000.00, or both.

4 (11) Subsections (7)(a) and (b), (8), and (9) do not apply to
5 a minor whose intent is to violate section 703 of the Michigan
6 liquor control code of 1998, 1998 PA 58, MCL 436.1703.

7 (12) The secretary of state, upon determining after an
8 examination that an applicant is mentally and physically qualified
9 to receive a license, may issue the applicant a temporary driver's
10 permit. The temporary driver's permit entitles the applicant, while
11 having the permit in his or her immediate possession, to operate a
12 motor vehicle upon the highway for a period not exceeding 60 days
13 before the secretary of state has issued the applicant an
14 operator's or chauffeur's license. The secretary of state may
15 establish a longer duration for the validity of a temporary
16 driver's permit if necessary to accommodate the process of
17 obtaining a background check that is required for an applicant by
18 federal law.

19 (13) An operator or chauffeur may indicate on the license in a
20 place designated by the secretary of state his or her blood type,
21 emergency contact information, immunization data, medication data,
22 or a statement that the licensee is deaf. The secretary of state
23 shall not require an applicant for an original or renewal
24 operator's or chauffeur's license to provide emergency contact
25 information as a condition of obtaining a license. However, the
26 secretary of state may inquire whether an operator or chauffeur
27 would like to provide emergency contact information and, **beginning**
28 **July 1, 2021**, shall allow an operator or chauffeur that meets the
29 requirements of subsection (21) to elect a communication impediment

1 designation. Emergency contact information obtained under this
2 subsection must be disclosed only to a state or federal law
3 enforcement agency for law enforcement purposes or to the extent
4 necessary for a medical emergency. ~~No later than January 1, 2017,~~
5 ~~the~~**The** secretary of state shall develop and shall, in conjunction
6 with the department of state police, implement a process using the
7 L.E.I.N. or any other appropriate system that limits access to law
8 enforcement that would allow law enforcement agencies of this state
9 to access emergency contact information and, **beginning July 1,**
10 **2021,** to view a communication impediment designation that the
11 holder of an operator's license has voluntarily provided to the
12 secretary of state.

13 (14) An operator or chauffeur may indicate on the license in a
14 place designated by the secretary of state that he or she has
15 designated a patient advocate in accordance with sections 5506 to
16 5515 of the estates and protected individuals code, 1998 PA 386,
17 MCL 700.5506 to 700.5515.

18 (15) If the applicant provides proof to the secretary of state
19 that he or she is a minor who has been emancipated under 1968 PA
20 293, MCL 722.1 to 722.6, the license must bear the designation of
21 the individual's emancipated status in a manner prescribed by the
22 secretary of state.

23 (16) Subsections (8), (9), and (10) do not apply to a person
24 who is in possession of 1 or more photocopies, reproductions, or
25 duplications of a license to document the identity of the licensee
26 for a legitimate business purpose.

27 (17) A sticker or decal may be provided by any person,
28 hospital, school, medical group, or association interested in
29 assisting in implementing an emergency medical information card,

1 but must meet the specifications of the secretary of state. An
2 emergency medical information card may contain information
3 concerning the licensee's patient advocate designation, other
4 emergency medical information, or an indication as to where the
5 licensee has stored or registered emergency medical information.

6 (18) The secretary of state shall inquire of each licensee, in
7 person or by mail, whether the licensee agrees to participate in
8 the anatomical gift donor registry under part 101 of the public
9 health code, 1978 PA 368, MCL 333.10101 to 333.10123.

10 (19) A licensee who has agreed to participate in the
11 anatomical gift donor registry under part 101 of the public health
12 code, 1978 PA 368, MCL 333.10101 to 333.10123, must not be
13 considered to have revoked that agreement solely because the
14 licensee's license has been revoked or suspended or has expired.
15 Enrollment in the donor registry constitutes a legal agreement that
16 remains binding and in effect after the donor's death regardless of
17 the expressed desires of the deceased donor's next of kin who may
18 oppose the donor's anatomical gift.

19 (20) If an operator's or chauffeur's license is issued to an
20 individual described in section 307(1)(b) who has temporary lawful
21 status, the license must be issued in compliance with 6 CFR 37.21
22 or in compliance with the process established to comply with 6 CFR
23 37.71 by the secretary of state.

24 (21) An operator or chauffeur seeking an election for a
25 communication impediment designation under subsection (13) shall
26 provide to the secretary of state a certification that meets all of
27 the following:

28 (a) Is signed by a physician, physician assistant, certified
29 nurse practitioner, or physical therapist licensed to practice in

1 this state.

2 (b) Identifies the individual for whom the communication
3 impediment designation is being elected.

4 (c) Attests to the nature of the communication impediment.

5 (22) A person who intentionally makes a false statement of
6 material fact or commits or attempts to commit a deception or fraud
7 on a statement described under subsection (21) is guilty of a
8 misdemeanor punishable by imprisonment for not more than 30 days or
9 a fine of not more than \$500.00, or both.

10 (23) Subject to subsection (24), the secretary of state may
11 cancel or revoke a communication impediment designation elected and
12 maintained under this section if either of the following
13 circumstances applies:

14 (a) The secretary of state determines that a communication
15 impediment designation was fraudulently or erroneously elected.

16 (b) The secretary of state determines the communication
17 impediment designation was abused during a traffic stop.

18 (24) The secretary of state shall provide the operator or
19 chauffeur notice and an opportunity to be heard before canceling or
20 revoking a communication impediment designation under subsection
21 (23).

22 (25) As used in this section:

23 (a) "Communication impediment" means the operator or chauffeur
24 has a health condition that may impede communication with a police
25 officer during a traffic stop, including, but not limited to, any
26 of the following:

27 (i) Deafness or hearing loss.

28 (ii) An autism spectrum disorder.

29 (b) "Emergency contact information" means the name, telephone

1 number, or address of an individual that is used for the sole
2 purpose of contacting that individual when the holder of an
3 operator's license has been involved in an emergency.

4 (c) "Temporary lawful status" means that term as defined in 6
5 CFR 37.3.

6 (d) "Veteran" means that term as defined in section 1 of 1965
7 PA 190, MCL 35.61.

8 **Sec. 310f. (1) Beginning 180 days after the effective date of**
9 **the amendatory act that added this section, upon receipt of a**
10 **notice from the department of the attorney general that an**
11 **individual who has been issued an operator's or chauffeur's license**
12 **under this act has been certified as a program participant in the**
13 **address confidentiality program, the secretary of state shall issue**
14 **a corrected operator's or chauffeur's license to that individual by**
15 **mailing the license to his or her designated address. Beginning 180**
16 **days after the effective date of the amendatory act that added this**
17 **section, an operator's or chauffeur's license issued under this**
18 **section or section 310 to a program participant must display the**
19 **individual's designated address and must not display the**
20 **individual's residence address.**

21 (2) An individual who is issued a corrected license under this
22 section shall destroy his or her old license and replace it with
23 the corrected license.

24 (3) Beginning 180 days after the effective date of the
25 amendatory act that added this section, an individual whose
26 certification as a program participant in the address
27 confidentiality program is renewed under the address
28 confidentiality program act may renew a license issued under this
29 section upon payment of the renewal fee under section 811.

1 (4) As used in this section:

2 (a) "Address confidentiality program" means a program as that
3 term is defined in section 3 of the address confidentiality program
4 act.

5 (b) "Designated address" means that term as defined in section
6 3 of the address confidentiality program act.

7 (c) "Program participant" means that term as defined in
8 section 3 of the address confidentiality program act.

9 Sec. 312f. (1) Except as otherwise provided in this section,
10 an individual shall be not less than 18 years of age before he or
11 she is issued a vehicle group designation or indorsement, other
12 than a motorcycle indorsement, or not less than 21 years of age and
13 has been approved by the Transportation Security Administration for
14 a hazardous material endorsement before he or she is issued a
15 hazardous material ~~indorsement~~**endorsement** on an operator's or
16 chauffeur's license and, as provided in this section, the
17 individual shall pass knowledge and driving skills tests that
18 comply with minimum federal standards prescribed in 49 CFR part
19 383. The knowledge and skills test scores must be retained by the
20 secretary of state as provided under 49 CFR 383.135. An individual
21 who is 18 years of age or older operating a vehicle to be used for
22 farming purposes only may obtain an A or B vehicle group
23 designation or an F vehicle indorsement. Each written examination
24 given an applicant for a vehicle group designation or indorsement
25 must include subjects designed to cover the type or general class
26 of vehicle to be operated. Except as follows, an individual shall
27 pass an examination that includes a driving skills test designed to
28 test competency of the applicant for an original vehicle group
29 designation and passenger indorsement on an operator's or

1 chauffeur's license to drive that type or general class of vehicle
2 upon the highways of this state with safety to persons and
3 property:

4 (a) The secretary of state shall waive the driving skills test
5 for an individual operating a vehicle that is used under the
6 conditions described in section 312e(8)(a) to (d) unless the
7 vehicle has a gross vehicle weight rating of 26,001 pounds or more
8 on the power unit and is to be used to carry hazardous materials on
9 which a placard is required under 49 CFR parts 100 to 199.

10 (b) The driving skills test may be waived if the applicant has
11 a valid license with the appropriate vehicle group designation,
12 passenger vehicle indorsement, or school bus indorsement in another
13 state issued in compliance with 49 USC 31301 to 31317, or if the
14 individual successfully passes a driving skills test administered
15 in another state that meets the requirements of federal law and the
16 law of this state.

17 (c) The secretary of state may waive the driving skills test
18 required under this section for an individual with military
19 commercial motor vehicle experience if the individual, at the time
20 of application, certifies and provides evidence satisfactory to the
21 secretary of state that he or she continuously met all of the
22 requirements under 49 CFR **part** 383 during the 2-year period
23 immediately preceding the date of application for the commercial
24 driver license.

25 (2) Except for an individual who has held an operator's or
26 chauffeur's license for less than 1 year, the secretary of state
27 shall waive the knowledge test and the driving skills test and
28 issue a 1-year seasonal restricted vehicle group designation to an
29 otherwise qualified applicant to operate a group B or a group C

1 vehicle for a farm related service industry if all of the following
2 conditions are met:

3 (a) The applicant meets the requirements of 49 CFR 383.77.

4 (b) The seasons for which the seasonal restricted vehicle
5 group designation is issued are from April 2 to June 30 and from
6 September 2 to November 30 only of a 12-month period or, at the
7 option of the applicant, for not more than 180 days from the date
8 of issuance in a 12-month period.

9 (c) The commercial motor vehicle for which the seasonal
10 restricted vehicle group designation is issued must be operated
11 only if all the following conditions are met:

12 (i) The commercial motor vehicle is operated only on routes
13 within 150 miles from the place of business to the farm or farms
14 being served.

15 (ii) The commercial motor vehicle does not transport a quantity
16 of hazardous materials on which a placard under 49 CFR parts 100 to
17 199 is required except for the following:

18 (A) Diesel motor fuel in quantities of 1,000 gallons or less.

19 (B) Liquid fertilizers in quantities of 3,000 gallons or less.

20 (C) Solid fertilizers that are not transported with any
21 organic substance.

22 (iii) The commercial motor vehicle does not require the H, N, P,
23 S, T, or X vehicle indorsement.

24 (3) A seasonal restricted vehicle group designation under this
25 section must be issued, suspended, revoked, canceled, denied, or
26 renewed in accordance with this act. The secretary of state may
27 renew a seasonal restricted vehicle group designation 1 time per
28 calendar year regardless of whether the seasonal restricted vehicle
29 group designation is expired at the time of renewal.

1 (4) The secretary of state may enter into an agreement with
2 another public or private corporation or agency to conduct a
3 driving skills test required under this section, section 312e, or
4 49 CFR part 383. Before the secretary of state authorizes an
5 individual to administer a corporation's or agency's driver skills
6 testing operations or authorizes an examiner to conduct a driving
7 skills test, that individual or examiner must complete both a state
8 and Federal Bureau of Investigation fingerprint-based criminal
9 history check through the department of state police.

10 (5) The secretary of state shall not issue a commercial
11 learner's permit, a vehicle group designation, or a vehicle
12 indorsement to an applicant for an original vehicle group
13 designation or vehicle indorsement under section 312e or may cancel
14 a commercial learner's permit or all vehicle group designations or
15 endorsements on an individual's operator's or chauffeur's license
16 to whom 1 or more of the following apply:

17 (a) The applicant has had his or her license suspended or
18 revoked for a reason other than as provided in section 321a, 515,
19 732a, or 801c or section 30 of the support and parenting time
20 enforcement act, 1982 PA 295, MCL 552.630, in the 36 months
21 immediately preceding application. However, a vehicle group
22 designation may be issued if the suspension or revocation was due
23 to a temporary medical condition or failure to appear at a
24 reexamination as provided in section 320.

25 (b) The applicant was convicted of or incurred a bond
26 forfeiture in relation to a 6-point violation as provided in
27 section 320a in the 24 months immediately preceding application if
28 the violation occurred while the applicant was operating a
29 commercial motor vehicle, or a violation of section 625(3) or

1 former section 625b, or a local ordinance that substantially
2 corresponds to section 625(3) or former section 625b in the 24
3 months immediately preceding application, if the applicant was
4 operating any type of motor vehicle.

5 (c) The applicant is listed on the ~~national driver register,~~
6 **National Driver Register**, the ~~commercial driver's license~~
7 ~~information system,~~ **Commercial Driver's License Information System**,
8 or the driving records of the state in which the applicant was
9 previously licensed as being disqualified from operating a
10 commercial motor vehicle or as having a license or driving
11 privilege suspended, revoked, canceled, or denied.

12 (d) The applicant is listed on the ~~national driver register,~~
13 **National Driver Register**, the ~~commercial driver's license~~
14 ~~information system,~~ **Commercial Driver's License Information System**,
15 or the driving records of the state in which the applicant was
16 previously licensed as having had a license suspended, revoked, or
17 canceled in the 36 months immediately preceding application if a
18 suspension or revocation would have been imposed under this act had
19 the applicant been licensed in this state in the original instance.
20 This subdivision does not apply to a suspension or revocation that
21 would have been imposed due to a temporary medical condition or
22 under section 321a, 515, 732a, or 801c or section 30 of the support
23 and parenting time enforcement act, 1982 PA 295, MCL 552.630.

24 (e) The applicant is subject to a suspension or revocation
25 under section 319b or would have been subject to a suspension or
26 revocation under section 319b if the applicant had been issued a
27 vehicle group designation or vehicle indorsement.

28 (f) The applicant has been disqualified from operating a
29 commercial motor vehicle under 49 USC 31301 to 31317 or the

1 applicant's license to operate a commercial motor vehicle has been
2 suspended, revoked, denied, or canceled within 36 months
3 immediately preceding the date of application.

4 (g) The United States Secretary of Transportation has
5 disqualified the applicant from operating a commercial motor
6 vehicle.

7 (h) The applicant fails to satisfy the federal regulations
8 promulgated under 49 CFR parts 383 and 391 by refusing to certify
9 the type of commercial motor vehicle operation the applicant
10 intends to perform and fails to present valid medical certification
11 to the secretary of state if required to do so. The requirement of
12 this subdivision is waived from July 1, 2020 to December 31, 2020
13 pursuant to the Waiver in Response to the COVID-19 National
14 Emergency - For States, CDL Holders, CLP Holders, and Interstate
15 Drivers Operating Commercial Motor Vehicles, **or any extension of**
16 **that waiver issued after December 31, 2020.**

17 (i) The applicant has been disqualified from operating a
18 commercial motor vehicle due to improper or fraudulent testing.

19 (j) If the secretary of state determines through a
20 governmental investigation that there is reason to believe that a
21 commercial driver license or endorsement was issued as a result of
22 fraudulent or improper conduct in taking a knowledge test or
23 driving skills test required under 49 CFR **part** 383, the secretary
24 of state shall require the applicant to retake and successfully
25 pass that test. The secretary of state shall cancel any commercial
26 driver license or endorsement issued as a result of the suspect
27 test unless the applicant retakes and passes that test.

28 (6) The secretary of state shall not renew or upgrade a
29 vehicle group designation if 1 or more of the following conditions

1 exist:

2 (a) The United States Secretary of Transportation has
3 disqualified the applicant from operating a commercial motor
4 vehicle.

5 (b) The applicant is listed on the ~~national driver register~~
6 **National Driver Register** or the ~~commercial driver's license~~
7 ~~information system~~ **Commercial Driver's License Information System**
8 as being disqualified from operating a commercial motor vehicle or
9 as having a driver license or driving privilege suspended, revoked,
10 canceled, or denied.

11 (c) On or after January 30, 2012, the applicant fails to meet
12 the requirements of 49 CFR parts 383 and 391 by refusing to certify
13 the type of commercial motor vehicle operation the applicant
14 intends to perform and fails to present medical certification to
15 the secretary of state if required to do so. The requirement of
16 this subdivision is waived from July 1, 2020 to December 31, 2020,
17 pursuant to the Waiver in Response to the COVID-19 National
18 Emergency - For States, CDL Holders, CLP Holders, and Interstate
19 Drivers Operating Commercial Motor Vehicles.

20 (7) The secretary of state shall only consider bond
21 forfeitures under subsection (5)(b) for violations that occurred on
22 or after January 1, 1990 when determining the applicability of
23 subsection (5).

24 (8) If an applicant for an original vehicle group designation
25 was previously licensed in another jurisdiction, the secretary of
26 state shall request a copy of the applicant's driving record from
27 that jurisdiction. If 1 or more of the conditions described in
28 subsection (5) exist in that jurisdiction when the secretary of
29 state receives the copy, the secretary of state shall cancel all

1 vehicle group designations on the individual's operator's or
2 chauffeur's license.

3 (9) The secretary of state shall cancel all vehicle group
4 designations on an individual's operator's or chauffeur's license
5 upon receiving notice from the United States Secretary of
6 Transportation, the ~~national driver register~~, **National Driver**
7 **Register**, the ~~commercial driver's license information system~~,
8 **Commercial Driver's License Information System**, or another state or
9 jurisdiction that 1 or more of the conditions described in
10 subsection (5) existed at the time of the individual's application
11 in this state.

12 (10) The secretary of state shall cancel all vehicle group
13 designations on the individual's operator's or chauffeur's license
14 upon receiving proper notice that the individual no longer meets
15 the federal driver qualification requirements under 49 CFR parts
16 383 and 391 to operate a commercial motor vehicle in interstate or
17 intrastate commerce, or the individual no longer meets the driver
18 qualification requirements to operate a commercial motor vehicle in
19 intrastate commerce under the motor carrier safety act of 1963,
20 1963 PA 181, MCL 480.11 to 480.25.

21 (11) Subsection (5) (a), (b), (d), and (f) does not apply to an
22 applicant for an original vehicle group designation who at the time
23 of application has a valid license to operate a commercial motor
24 vehicle issued by any state in compliance with 49 USC 31301 to
25 31317.

26 (12) As used in this section, "farm related service industry"
27 means custom harvesters, farm retail outlets and suppliers, agri-
28 chemical business, or livestock feeders.

29 Sec. 312k. (1) Notwithstanding any other provisions in this

1 act, all of the following apply:

2 (a) A commercial driver license that expires on or after March
3 1, 2020 is valid until ~~December 11, 2020.~~**March 31, 2021.**

4 (b) Medical certification for operator's or chauffeur's
5 license holders with a group designation required under 49 CFR
6 391.45 that expires on or after March 1, 2020 ~~are~~**is** valid until
7 ~~December 11, 2020.~~**March 31, 2021.** This subdivision does not apply
8 to either of the following:

9 (i) A medical certification for operator's or chauffeur's
10 license holders with a group designation required under 49 CFR
11 391.45 that was not valid before March 1, 2020.

12 (ii) An individual issued a medical certification for
13 operator's or chauffeur's license holders with a group designation
14 required under 49 CFR 391.45 who, since his or her last medical
15 certificate was issued, has been diagnosed with a medical condition
16 that would disqualify the individual from operating in interstate
17 commerce, or who, since his or her last medical certificate was
18 issued, has developed a condition that requires an exemption or
19 Skill Performance Evaluation from the Federal Motor Carrier Safety
20 Administration.

21 (c) Hazardous material endorsements that expire on or after
22 March 1, 2020 are valid until October 29, 2020. A security threat
23 assessment required under 49 CFR 1572.13(a) that is valid on or
24 after March 1, 2020 is valid until October 29, 2020. An individual
25 with a hazardous material endorsement that is extended for 180 days
26 under this subdivision must initiate a security threat assessment
27 with the National Highway Traffic Safety Administration at least 60
28 days before the expiration of the hazardous material endorsement.

29 (2) This section does not affect the secretary of state's

1 authority to revoke or suspend an operator's or chauffeur's license
2 or a group designation or indorsement under this act.

3 Sec. 314. (1) Except as otherwise provided in this section, an
4 operator's license and chauffeur's license expire on the birthday
5 of the individual to whom the license is issued in the fourth year
6 following the date of the issuance of the license or on the date
7 the individual is no longer considered to be legally present in the
8 United States under section 307, whichever is earlier, unless
9 suspended or revoked before that date. A license must not be issued
10 for a period longer than 4 years. An individual holding a license
11 at any time 12 months before the expiration of his or her license
12 may apply for a new license as provided for in this chapter. A
13 knowledge test for an original group designation or indorsement may
14 be taken at any time during this period and the results are valid
15 for 12 months. A license renewed under this subsection must be
16 renewed for the time remaining on the license before its renewal
17 combined with the 4-year renewal period.

18 (2) The first operator's license issued to an individual who
19 at the time of application is less than 20-1/2 years of age expires
20 on the licensee's twenty-first birthday or on the date the
21 individual is no longer considered to be legally present in the
22 United States under section 307, whichever is earlier, unless
23 suspended or revoked.

24 (3) The first chauffeur's license issued to an individual
25 expires on the licensee's birthday in the fourth year following the
26 date of issuance or on the date the individual is no longer
27 considered to be legally present in the United States under section
28 307, whichever is earlier, unless the license is suspended or
29 revoked before that date. The chauffeur's license of an individual

1 who at the time of application is less than 20-1/2 years of age
2 expires on the licensee's twenty-first birthday or on the date the
3 individual is no longer considered to be legally present in the
4 United States under section 307, whichever is earlier, unless
5 suspended or revoked. A subsequent chauffeur's license expires on
6 the birthday of the individual to whom the license is issued in the
7 fourth year following the date of issuance of the license or on the
8 date the individual is no longer considered to be legally present
9 in the United States under section 307, whichever is earlier,
10 unless the license is suspended or revoked before that date.

11 (4) An individual may apply for an extension of his or her
12 driving privileges if he or she is out of state on the date that
13 his or her operator's or chauffeur's license expires. The extension
14 may extend the license for 180 days beyond the expiration date or
15 not more than 2 weeks after the applicant returns to Michigan,
16 whichever occurs first. This subsection does not apply to an
17 individual who fails to meet the requirements of 49 CFR parts 383
18 and 391 with regard to medical certification documentation
19 requirements.

20 (5) The secretary of state may issue a renewal operator's or
21 chauffeur's license to an individual who will be out of state for
22 more than 180 days beyond the expiration date of his or her
23 operator's or chauffeur's license, if the secretary of state has a
24 digital image of the individual on file. The applicant for this
25 renewal shall submit a statement evidencing a vision examination in
26 accordance with the rules promulgated by the secretary of state
27 under section 309 and any other statement required by this act or
28 federal law. An individual is not eligible for consecutive renewals
29 of a license under this subsection. This subsection does not apply

1 to an individual who fails to meet the requirements of 49 CFR parts
2 383 and 391 with regard to medical certification documentation
3 requirements, or an individual with a hazardous material
4 ~~indorsement~~**endorsement** on his or her operator's or chauffeur's
5 license.

6 (6) The secretary of state may check the applicant's driving
7 record through the National Driver Register and the Commercial
8 Driver's License Information System before issuing a renewal under
9 this section.

10 (7) Notwithstanding the provisions of this section, an
11 operator's or chauffeur's license that expires on or after March 1,
12 2020 is valid until ~~December 11, 2020.~~**March 31, 2021.**

13 Sec. 801k. Notwithstanding any other provisions in this
14 chapter, late fees must not be assessed on the following vehicles:

15 (a) A vehicle registered under section 801(1)(j) or (k) or
16 section 801g whose registration expires on or after March 1, 2020
17 and whose registration is renewed before ~~December 11, 2020.~~**March**
18 **31, 2021.**

19 (b) All other vehicles registered under this chapter whose
20 registration expires on or after March 1, 2020 and whose
21 registration is renewed before ~~December 11, 2020.~~**March 31, 2021.**

22 Enacting section 1. This amendatory act does not take effect
23 unless Senate Bill No. 70 of the 100th Legislature is enacted into
24 law.