

**SUBSTITUTE FOR  
HOUSE BILL NO. 5757**

A bill to amend 2008 PA 23, entitled  
"Enhanced driver license and enhanced official state personal  
identification card act,"  
by amending sections 4 and 6 (MCL 28.304 and 28.306), as amended by  
2020 PA 129.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 4. (1) The secretary of state may issue an enhanced  
2 ~~driver's~~**driver** license or enhanced official state personal  
3 identification card to an applicant who provides satisfactory proof  
4 of his or her full legal name, United States citizenship, identity,  
5 date of birth, Social Security number, residence address, and a  
6 photographic identity document. An applicant may choose to apply  
7 for a standard driver license or standard official state personal



1 identification card or an enhanced driver license or enhanced  
2 official state personal identification card.

3 (2) An enhanced driver license or enhanced official state  
4 personal identification card must include reasonable security  
5 measures to protect against unauthorized disclosure of personal  
6 information regarding residents of this state that is contained in  
7 the enhanced driver license or enhanced official state personal  
8 identification card.

9 (3) An enhanced driver license or enhanced official state  
10 personal identification card may include radio frequency  
11 identification technology that is limited to a randomly assigned  
12 number that must be encrypted if agreed to by the United States  
13 Department of Homeland Security, and does not include biometric  
14 data. The secretary of state shall ensure that the radio frequency  
15 identification technology is secure from unauthorized data access  
16 and includes reasonable security measures to protect against  
17 unauthorized disclosure of personal information. An applicant must  
18 sign a declaration acknowledging his or her understanding of the  
19 radio frequency identification technology before he or she is  
20 issued an enhanced driver license or enhanced official state  
21 personal identification card.

22 (4) An enhanced driver license or enhanced official state  
23 personal identification card that expires on or after March 1, 2020  
24 is considered valid until ~~September 30, 2020~~. **December 11, 2020**.

25 (5) The requirements of this act are in addition to the  
26 requirements otherwise imposed on individuals who apply for a  
27 standard driver license or standard official state personal  
28 identification card.

29 (6) The holder of an enhanced driver license issued under this



1 act is subject to every licensing sanction provided under the  
2 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. As used  
3 in this subsection, "licensing sanction" means the restriction,  
4 suspension, revocation, or denial of a driver license; the addition  
5 of points to a driving record; until October 1, 2018, the  
6 assessment of a driver responsibility fee; the assessment of a  
7 civil fine or criminal penalty resulting from a conviction; a civil  
8 infraction determination; the imposition of probationary terms and  
9 conditions; or any other penalty provided under the Michigan  
10 vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

11 Sec. 6. (1) An application for an original enhanced driver  
12 license or enhanced official state personal identification card  
13 must be accompanied by payment of a fee of not more than \$50.00.

14 (2) The renewal fee for an enhanced driver license or enhanced  
15 official state personal identification card renewed under this act  
16 must be not more than \$50.00. However, if an enhanced driver  
17 license or enhanced official state personal identification card is  
18 expired at the time of renewal, the fee must be the same as the fee  
19 provided under subsection (1). If the secretary of state receives  
20 an application to renew an enhanced driver license or enhanced  
21 official state personal identification card that expires on or  
22 after March 1, 2020 before ~~September 30, 2020~~, **December 11, 2020**,  
23 the secretary of state shall process the application as a renewal  
24 of an existing enhanced driver license or enhanced official state  
25 personal identification card.

26 (3) Money from fees collected under subsections (1) and (2)  
27 must be deposited into the enhanced driver license and enhanced  
28 official state personal identification card fund created in section  
29 7 after distribution as follows:



1 (a) The secretary of state shall refund to each county or  
2 municipality acting as an examining officer or examining bureau  
3 \$2.50 for each applicant examined for an original enhanced driver  
4 license, if the application is not denied and the money refunded is  
5 paid to the county or local treasurer and is appropriated to the  
6 county, municipality, or officer or bureau receiving the money for  
7 the purpose of carrying out this act.

8 (b) The state treasurer shall deposit the sum of \$4.00 to the  
9 traffic law enforcement and safety fund created in section 819a of  
10 the Michigan vehicle code, 1949 PA 300, MCL 257.819a, for each  
11 person examined for an original or renewal enhanced driver license.

12 (c) Four dollars and 50 cents of an original enhanced driver  
13 license and \$6.00 of a renewal enhanced driver license must be  
14 appropriated to the transportation economic development fund  
15 established in section 2 of 1987 PA 231, MCL 247.902, and must not  
16 be appropriated for any other purpose in any act making  
17 appropriations of state funds.

18 (d) The money remaining after distributions are made under  
19 subdivisions (a) through (c) must remain in the enhanced driver  
20 license and enhanced official state personal identification card  
21 fund created under section 7.

22 (4) The secretary of state may assess a fee for issuing a  
23 duplicate or corrected enhanced driver license or enhanced official  
24 state personal identification card. A fee assessed under this  
25 subsection must not exceed the following amounts:

26 (a) Thirty dollars for an enhanced driver license that is an  
27 operator's license.

28 (b) Forty dollars for an enhanced driver license that is a  
29 chauffeur's license.



1 (c) Thirty dollars for an enhanced official state personal  
2 identification card.

3 (5) A fee must not be charged under subsection (4) for a  
4 change of address, to correct a departmental error, or to add or  
5 remove a heart insignia described in section 310 of the Michigan  
6 vehicle code, 1949 PA 300, MCL 257.310.

7 (6) Fees collected under subsection (4) must be deposited to  
8 the enhanced driver license and enhanced official state personal  
9 identification card fund created under section 7.

10 (7) A fee paid under this section is nonrefundable, except for  
11 administrative error.

12 (8) The secretary of state shall not assess a late renewal fee  
13 for an enhanced driver license or enhanced official state personal  
14 identification card that expires on or after March 1, 2020 and is  
15 renewed before ~~September 30, 2020.~~ **December 11, 2020.**

16 Enacting section 1. This amendatory act does not take effect  
17 unless all of the following bills of the 100th Legislature are  
18 enacted into law:

19 (a) House Bill No. 5756.

20 (b) House Bill No. 6192.

