

# HOUSE BILL NO. 4398

March 19, 2019, Introduced by Reps. Sheppard, Miller, LaFave, Kahle and Bellino and referred to the Committee on Insurance.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 226, 227a, 323, 328, 518b, 658, 665, 665b,  
732, and 801e (MCL 257.226, 257.227a, 257.323, 257.328, 257.518b,  
257.658, 257.665, 257.665b, 257.732, and 257.801e), section 226 as  
amended by 2018 PA 342, section 227a as added by 1995 PA 287,  
section 323 as amended by 2018 PA 99, section 328 as amended by  
2015 PA 135, section 518b as added by 2016 PA 348, section 658 as  
amended by 2018 PA 204, section 665 as amended by 2016 PA 332,  
section 665b as added by 2016 PA 333, section 732 as amended by



2017 PA 160, and section 801e as amended by 1983 PA 91.

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

1       Sec. 226. (1) A vehicle registration issued by the secretary  
2 of state expires on the owner's birthday, unless another expiration  
3 date is provided for under this act or unless the registration is  
4 for the following vehicles, in which case registration expires on  
5 the last day of February:

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

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

13       (2) The expiration date for a registration issued for a  
14 motorcycle is the 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



1 an international registration plan registration plate, issue a  
2 registration under section 801g upon application and payment of the  
3 proper apportioned fee for a commercial vehicle engaged in  
4 interstate commerce.

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

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

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

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



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

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

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

10 (7) A certificate of title shall remain valid until canceled  
11 by the secretary of state for cause or upon a transfer of an  
12 interest shown on the certificate of title.

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

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

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

27 (b) A vehicle purchased or leased in this state and delivered  
28 to the purchaser or lessee by a dealer or by the owner of the  
29 vehicle for removal to a place outside of this state, if a



1 certification is made that the vehicle will be primarily used,  
2 stored, and registered outside of this state and will not be  
3 returned to this state by the purchaser or lessee for use or  
4 storage.

5 (10) A special registration issued under subsection (9) is  
6 valid for not more than 30 days after the date of issuance, and a  
7 fee shall be collected for each special registration as provided in  
8 section 802(3). The special registration may be in the form  
9 determined by the secretary of state. If a dealer makes a retail  
10 sale or lease of a vehicle to a purchaser or lessee who is  
11 qualified and eligible to obtain a special registration, the dealer  
12 shall apply for the special registration for the purchaser or  
13 lessee. If a person other than a dealer sells or leases a vehicle  
14 to a purchaser or lessee who is qualified and eligible to obtain a  
15 special registration, the purchaser or lessee shall appear in  
16 person, or by a person exercising the purchaser's or lessee's power  
17 of attorney, at an office of the secretary of state and furnish a  
18 certification that the person is the bona fide purchaser or lessee  
19 or that the person has granted the power of attorney, together with  
20 other forms required for the issuance of the special registration  
21 and provide the secretary of state with proof that the vehicle is  
22 covered by ~~a Michigan no-fault~~ **an** insurance policy ~~issued under~~  
23 **that complies with** section ~~3101~~ **3009** of the insurance code of 1956,  
24 1956 PA 218, MCL 500.3101, ~~or proof that the vehicle is covered by~~  
25 ~~a policy of insurance issued by an insurer under section 3163 of~~  
26 ~~the insurance code of 1956, 1956 PA 218, MCL 500.3163.~~ **500.3009.**  
27 The certification required ~~in~~ **under** this subsection shall contain  
28 all of the following:

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



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

(c) A statement that the vehicle shall be primarily used, stored, and registered outside of this state.

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

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

(11) In the case of a commercial vehicle, trailer, or semitrailer issued a registration under the international registration plan, the secretary of state in mutual agreement with the owner may assign or reassign the expiration date of the registration. However, the expiration date agreed to shall be either March 31, June 30, September 30, or December 31 or beginning on February 19, 2019, the last day of a calendar month. Renewals expiring on or after June 30, 2020 shall be for a minimum of at least 12 months if there is a change in the established expiration date.

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

Sec. 227a. (1) If a court has notified the secretary of state of a vehicle registration number as provided in section 328(4) and the owner has not secured proof that the vehicle involved in the violation is currently insured under ~~chapter 31~~ **an insurance policy that complies with section 3009** of the insurance code of 1956, ~~Act No. 218 of the Public Acts of 1956, being sections 500.3101 to 500.3179 of the Michigan Compiled Laws, 1956 PA 218, MCL 500.3009,~~ the secretary of state shall not renew, replace, or transfer the registration plate of the vehicle ~~involved in the violation or~~



1 allow the purchase of a new registration plate for the vehicle  
 2 ~~involved in the violation,~~ until the owner or the owner's  
 3 representative appears at a branch office and does both of the  
 4 following:

5 (a) Shows a certified statement from an automobile insurer on  
 6 a standard form prescribed by the ~~commissioner~~**director** of the  
 7 **department of insurance and financial services** that the vehicle  
 8 ~~involved in the violation~~ is currently insured under a prepaid  
 9 ~~noncancelable~~**insurance** policy **that is not cancelable** for a period  
 10 of ~~not less than 6 months under chapter 31 of Act No. 218 of the~~  
 11 ~~Public Acts of 1956.~~**or longer and that complies with section 3009**  
 12 **of the insurance code of 1956, 1956 PA 218, MCL 500.3009.**

13 (b) Pays a fee of \$50.00 in addition to any other fee required  
 14 by law, of which \$25.00 shall be allocated to the secretary of  
 15 state to defray the costs of administering this section.

16 (2) The secretary of state may cancel the registration of a  
 17 motor vehicle under either of the following circumstances:

18 (a) The secretary of state receives notice that a court has  
 19 determined that a vehicle involved in the violation was not insured  
 20 ~~as required by chapter 31 of Act No. 218 of the Public Acts of~~  
 21 ~~1956,~~**under an insurance policy that complied with section 3009 of**  
 22 **the insurance code of 1956, 1956 PA 218, MCL 500.3009,** at the time  
 23 of registration.

24 (b) The secretary of state receives notice that a court has  
 25 determined that the owner or the owner's representative presented a  
 26 certificate of insurance that was forged, altered, fraudulent, or  
 27 counterfeit when insurance was required by this act.

28 (3) ~~Before a cancellation occurs~~**the secretary of state**  
 29 **cancels a registration** under subsection (2), **the secretary of state**



1 **shall give** the person who will be affected by the cancellation  
2 ~~shall be given~~ notice and an opportunity to be heard.

3       Sec. 323. (1) A person aggrieved by a final determination of  
4 the secretary of state denying the person an operator's or  
5 chauffeur's license, a vehicle group designation, or an indorsement  
6 on a license or revoking, suspending, or restricting an operator's  
7 or chauffeur's license, vehicle group designation, or an  
8 indorsement may petition for a review of the determination in the  
9 circuit court in the county where the person was arrested if the  
10 denial or suspension was imposed under section 625f or under the  
11 order of a trial court under section 328 or, in all other cases, in  
12 the circuit court in the person's county of residence. The person  
13 shall file the petition within 63 days after the determination is  
14 made except that for good cause shown the court may allow the  
15 person to file petition within 182 days after the determination is  
16 made. As provided in section 625f, a peace officer aggrieved by a  
17 determination of a hearing officer in favor of a person who  
18 requested a hearing under section 625f may, with the prosecuting  
19 attorney's consent, petition for review of the determination in the  
20 circuit court in the county where the arrest was made. The peace  
21 officer shall file the petition within 63 days after the  
22 determination is made except that for good cause shown the court  
23 may allow the peace officer to file the petition within 182 days  
24 after the determination is made.

25       (2) Except as otherwise provided in this section, the circuit  
26 court shall enter an order setting the cause for hearing for a day  
27 certain not more than 63 days after the order's date. The order, a  
28 copy of the petition that includes the person's full name, current  
29 address, birth date, and driver's license number, and all



1 supporting affidavits must be served on the secretary of state's  
2 office in Lansing not less than 20 days before the date set for the  
3 hearing. If the person is seeking a review of the record prepared  
4 under section 322 or section 625f, the service upon the secretary  
5 of state must be made not less than 50 days before the date set for  
6 the hearing.

7 (3) The court may take testimony and examine all the facts and  
8 circumstances relating to the denial, suspension, or restriction of  
9 the person's license under sections 303(1)(d), 320, or 904(10) or  
10 (11), a licensing action under section 310d, or a suspension for a  
11 first violation under section 625f. The court may affirm, modify,  
12 or set aside the restriction, suspension, or denial, except the  
13 court shall not order the secretary of state to issue a restricted  
14 or unrestricted chauffeur's license that would permit the person to  
15 drive a commercial motor vehicle that hauls a hazardous material.  
16 The court shall enter the order and the petitioner shall file a  
17 certified copy of the order with the secretary of state's office in  
18 Lansing within 7 days after entry of the order.

19 (4) Except as otherwise provided in this section, in reviewing  
20 a determination resulting in a denial, suspension, restriction, or  
21 revocation under this act, the court shall confine its  
22 consideration to a review of the record prepared under section 322  
23 or 625f or the driving record created under section 204a for a  
24 statutory legal issue, and may determine that the petitioner is  
25 eligible for full driving privileges or, if the petitioner is  
26 subject to a revocation under section 303, may determine that the  
27 petitioner is eligible for restricted driving privileges. The court  
28 shall set aside the secretary of state's determination only if 1 or  
29 more of the following apply:



1 (a) In determining whether a petitioner is eligible for full  
2 driving privileges, the petitioner's substantial rights have been  
3 prejudiced because the determination is any of the following:

4 (i) In violation of the Constitution of the United States, the  
5 state constitution of 1963, or a statute.

6 (ii) In excess of the secretary of state's statutory authority  
7 or jurisdiction.

8 (iii) Made upon unlawful procedure resulting in material  
9 prejudice to the petitioner.

10 (iv) Not supported by competent, material, and substantial  
11 evidence on the whole record.

12 (v) Arbitrary, capricious, or clearly an abuse or unwarranted  
13 exercise of discretion.

14 (vi) Affected by other substantial and material error of law.

15 (b) In determining whether a petitioner is eligible for review  
16 of a revocation or denial under section 303, or whether a  
17 petitioner is eligible for restricted driving privileges, all of  
18 the following apply:

19 (i) The petitioner's substantial rights have been prejudiced as  
20 described in subdivision (a).

21 (ii) All of the following are satisfied:

22 (A) The revocation or denial occurred at least 1 year after  
23 the petitioner's license was revoked or denied, or, if the  
24 petitioner's license was previously revoked or denied within the 7  
25 years preceding the most recent revocation or denial, at least 5  
26 years after the most recent revocation or denial, whichever is  
27 later.

28 (B) The court finds that the petitioner meets the department's  
29 requirements under the rules promulgated by the department under



1 the administrative procedures act of 1969, 1969 PA 306, MCL 24.201  
2 to ~~24.238.~~**24.328.** For purposes of this sub-subparagraph only, the  
3 court may take additional testimony to supplement the record  
4 prepared under section 322 or 625f or the driving record created  
5 under section 204a, but shall not expand the record.

6 (C) If the revocation or denial was under section 303(2)(a),  
7 (b), (c), or (g), the petitioner rebuts by clear and convincing  
8 evidence the presumption that he or she is a habitual offender, and  
9 establishes to the court's satisfaction that he or she is likely to  
10 adhere to any requirements imposed by the court. For purposes of  
11 this sub-subparagraph, the conviction that resulted in the  
12 revocation and any record of denial of reinstatement by the  
13 department are prima facie evidence that the petitioner is a  
14 habitual offender. For purposes of this sub-subparagraph only, the  
15 court may take additional testimony to supplement the record  
16 prepared under section 322 or 625f or the driving record created  
17 under section 204a, but shall not expand the record.

18 (5) If the court determines that a petitioner is eligible for  
19 restricted driving privileges under subsection (4)(b), the court  
20 shall issue an order that includes, but is not limited to, all of  
21 the following:

22 (a) The court's findings under section 303 and R 257.1 to R  
23 257.1727 of the Michigan Administrative Code.

24 (b) A requirement that each motor vehicle operated by the  
25 petitioner be equipped with a properly installed and functioning  
26 ignition interlock device for a period of not less than 1 year  
27 before the petitioner will be eligible to return to the secretary  
28 of state for a hearing. The petitioner shall bear the cost of an  
29 ignition interlock device required under this subdivision. A



1 restricted license must not be issued to the petitioner until the  
2 secretary of state has verified that 1 or more ignition interlock  
3 devices, if applicable, have been installed as required by this  
4 subdivision.

5 (c) A method by which the court will verify that the  
6 petitioner maintains ~~no-fault~~ insurance for each vehicle described  
7 in subdivision (b) ~~as required by chapter 31~~ **that complies with**  
8 **section 3009** of the insurance code of 1956, 1956 PA 218, MCL  
9 ~~500.3101 to 500.3179.~~ **500.3009.**

10 (d) A requirement that a restricted license issued to the  
11 petitioner must not permit the petitioner to operate a commercial  
12 motor vehicle that hauls hazardous materials.

13 (e) A provision that the secretary of state shall revoke the  
14 petitioner's restricted license if any of the following occur:

15 (i) The petitioner violates the restrictions on his or her  
16 license.

17 (ii) The petitioner violates subdivision (b).

18 (iii) The petitioner removes, or causes to be removed, an  
19 ignition interlock device required under subdivision (b), unless  
20 the secretary of state has authorized the removal under section  
21 322a.

22 (iv) The petitioner commits an act that would be a major  
23 violation if the petitioner's license had been issued under section  
24 322(6) or consumes alcohol or a controlled substance without a  
25 prescription. As used in this subparagraph, "major violation" means  
26 that term as defined in R 257.301a of the Michigan Administrative  
27 Code.

28 (v) The petitioner is arrested for a violation of section 625  
29 or a local ordinance, law of this state or another state, or law of



1 the United States that substantially corresponds to section 625.

2 (6) If the court determines that a petitioner is eligible for  
3 restricted driving privileges under this section and the petitioner  
4 intends to operate a vehicle owned by his or her employer, the  
5 court shall notify the employer of the petitioner's obligation  
6 under subsection (5)(b). This subsection does not require an  
7 employer who receives a notice under this subsection to install an  
8 ignition interlock device on a vehicle. This subsection does not  
9 apply to a vehicle that is operated by a self-employed individual  
10 who uses the vehicle for both business and personal use.

11 (7) If a court determines that a petitioner is eligible for  
12 restricted driving privileges, the secretary of state shall not  
13 issue a restricted license to the petitioner until he or she has  
14 satisfied any other applicable requirements of state or federal  
15 law, and shall not issue a restricted license to the petitioner if  
16 the order granting eligibility for restricted driving privileges  
17 does not comply with subsection (5).

18 (8) If a court determines that a petitioner is eligible for  
19 restricted driving privileges, the court shall notify the  
20 department of its determination through the issuance of an order  
21 under subsection (5) and shall not retain jurisdiction over a  
22 license issued under this section.

23 Sec. 328. (1) The owner of a motor vehicle who operates or  
24 permits the operation of the motor vehicle upon the highways of  
25 this state or the operator of the motor vehicle shall produce,  
26 under subsection (2), upon the request of a police officer,  
27 evidence that the motor vehicle is insured under ~~chapter 31-a~~  
28 **policy of insurance that complies with section 3009** of the  
29 insurance code of 1956, 1956 PA 218, MCL ~~500.3101 to 500.3179.~~



1 **500.3009.** Subject to section 907(15), an owner or operator of a  
2 motor vehicle who fails to produce evidence of insurance upon  
3 request under this subsection or who fails to have motor vehicle  
4 insurance for the vehicle ~~as required under chapter 31 that~~  
5 **complies with section 3009** of the insurance code of 1956, 1956 PA  
6 218, MCL ~~500.3101 to 500.3179, 500.3009~~, is responsible for a civil  
7 infraction. If a person displays an electronic copy of his or her  
8 certificate of insurance using an electronic device, the police  
9 officer shall only view the electronic copy of the certificate of  
10 insurance and shall not manipulate the electronic device to view  
11 any other information on the electronic device. A person who  
12 displays an electronic copy of his or her certificate of insurance  
13 using an electronic device as provided in this subsection shall not  
14 be presumed to have consented to a search of the electronic device.  
15 A police officer may require the person to electronically forward  
16 the electronic copy of the certificate of insurance to a specified  
17 location provided by the police officer. The police officer may  
18 then view the electronic copy of the certificate of insurance in a  
19 setting in which it is safe for the officer to verify that the  
20 information contained in the electronic copy of the certificate of  
21 insurance is valid and accurate. This state, a law enforcement  
22 agency, or an employee of this state or a law enforcement agency is  
23 not liable for damage to or loss of an electronic device that  
24 occurs as a result of a police officer's viewing an electronic copy  
25 of a certificate of insurance in the manner provided in this  
26 section, regardless of whether the police officer or the owner or  
27 operator of the vehicle was in possession of the electronic device  
28 at the time the damage or loss occurred.

29 (2) A certificate of insurance, in paper or electronic form

1 and issued by an insurance company, that certifies that ~~the~~  
 2 ~~security that meets the requirements of sections 3101 and 3102~~  
 3 **insurance that complies with section 3009** of the insurance code of  
 4 1956, 1956 PA 218, MCL ~~500.3101 and 500.3102~~, **500.3009**, is in force  
 5 is prima facie evidence that insurance is in force for the motor  
 6 vehicle described in the certificate of insurance until the  
 7 expiration date shown on the certificate. The certificate, in  
 8 addition to describing the motor vehicles for which insurance is in  
 9 effect, must, if applicable, state the name of each person named on  
 10 the policy, policy declaration, or a declaration certificate whose  
 11 operation of the vehicle would cause the liability coverage of that  
 12 insurance to become void.

13 (3) If, before the appearance date on a citation issued under  
 14 subsection (1), the defendant submits proof to the court that the  
 15 motor vehicle had insurance ~~meeting the requirements of sections~~  
 16 ~~3101 and 3102~~ **that complied with section 3009** of the insurance code  
 17 of 1956, 1956 PA 218, MCL ~~500.3101 and 500.3102~~, **500.3009** at the  
 18 time the violation of subsection (1) occurred, all of the following  
 19 apply:

20 (a) The court shall not assess a fine or costs.

21 (b) The court shall not forward an abstract of the court  
 22 record to the secretary of state.

23 (c) The court may assess a fee of not more than \$25.00, which  
 24 shall be paid to the court funding unit.

25 (4) If an owner or operator of a motor vehicle is determined  
 26 to be responsible for a violation of subsection (1), the court in  
 27 which the civil infraction determination is entered may require the  
 28 person to surrender his or her operator's or chauffeur's license  
 29 unless proof that the vehicle has insurance ~~meeting the~~



1 ~~requirements of sections 3101 and 3102~~ **that complies with section**  
2 **3009** of the insurance code of 1956, 1956 PA 218, MCL ~~500.3101 and~~  
3 ~~500.3102, 500.3009~~, is submitted to the court. If the court  
4 requires the license to be surrendered, the court shall order the  
5 secretary of state to suspend the person's license. The court shall  
6 immediately destroy the license and shall forward an abstract of  
7 the court record to the secretary of state as required by section  
8 732. Upon receipt of the abstract, the secretary of state shall  
9 suspend the person's license beginning with the date on which the  
10 person is determined to be responsible for the civil infraction for  
11 a period of 30 days or until proof of insurance ~~meeting the~~  
12 ~~requirements of sections 3101 and 3102~~ **that complies with section**  
13 **3009** of the insurance code of 1956, 1956 PA 218, MCL ~~500.3101 and~~  
14 ~~500.3102, 500.3009~~, is submitted to the secretary of state,  
15 whichever occurs later. A person who submits proof of insurance to  
16 the secretary of state under this subsection shall pay a service  
17 fee of \$25.00 to the secretary of state. The person shall not be  
18 required to be examined under section 320c and shall not be  
19 required to pay a replacement license fee.

20 (5) If an owner or operator of a motor vehicle is determined  
21 to be responsible for a violation of subsection (1), the court in  
22 which the civil infraction determination is entered shall notify  
23 the secretary of state of the vehicle registration number and the  
24 year and make of the motor vehicle being operated at the time of  
25 the violation. A notification under this subsection shall be made  
26 on the abstract or on a form approved by the supreme court  
27 administrator. Upon receipt, the secretary of state shall  
28 immediately enter this information in the records of the  
29 department. The secretary of state shall not renew, transfer, or



1 replace the registration plate of the vehicle involved in the  
 2 violation or allow the purchase of a new registration plate for the  
 3 vehicle involved in the violation until the owner meets the  
 4 requirements of section 227a or unless the vehicle involved in the  
 5 violation is transferred or sold to a person other than the owner's  
 6 spouse, mother, father, sister, brother, or child.

7 (6) An owner or operator of a motor vehicle who knowingly  
 8 produces false evidence under this section is guilty of a  
 9 misdemeanor, punishable by imprisonment for not more than 1 year,  
 10 or a fine of not more than \$1,000.00, or both.

11 (7) ~~Points~~ **The secretary of state** shall not ~~be entered~~ **enter**  
 12 **points** on a driver's record under section 320a for a violation of  
 13 this section.

14 (8) This section does not apply to the owner or operator of a  
 15 motor vehicle that is registered in a state other than this state  
 16 or a foreign country or province.

17 Sec. 518b. (1) All of the following types of automobile  
 18 insurance satisfy the financial responsibility requirements of this  
 19 chapter:

20 (a) During the time that a transportation network company  
 21 driver is logged on to the transportation network company's digital  
 22 network and is available to receive transportation requests but is  
 23 not engaged in a transportation network company prearranged ride,  
 24 ~~all of the following types of automobile insurance:~~

25 ~~(i) Residual third party automobile liability insurance as~~  
 26 ~~required under chapter 31~~ **that complies with section 3009** of the  
 27 insurance code of 1956, 1956 PA 218, MCL ~~500.3101 to 500.3179,~~  
 28 **500.3009**, in the amount of at least \$50,000.00 per person for death  
 29 or bodily injury, \$100,000.00 per incident for death or bodily



1 injury, and \$25,000.00 for property damage.

2 ~~(ii) Personal protection insurance and property protection~~  
 3 ~~insurance in the amounts and of the types of coverage required by~~  
 4 ~~chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101~~  
 5 ~~to 500.3179.~~

6 (b) During the time that a transportation network company  
 7 driver is engaged in a transportation network company prearranged  
 8 ride, ~~all of the following types of automobile insurance:~~

9 ~~(i) Residual third party automobile liability insurance that~~  
 10 **complies with section 3009 of the insurance code of 1956, 1956 PA**  
 11 **218, MCL 500.3009,** with a minimum combined single limit of  
 12 \$1,000,000.00 for all bodily injury or property damage.

13 ~~(ii) Personal protection insurance and property protection~~  
 14 ~~insurance in the amounts and of the types of coverage required by~~  
 15 ~~chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101~~  
 16 ~~to 500.3179.~~

17 (2) This section only applies to automobile insurance obtained  
 18 by a transportation network company driver or a transportation  
 19 network company.

20 Sec. 658. (1) A person propelling a bicycle or operating a  
 21 motorcycle or moped shall not ride other than upon and astride a  
 22 permanent and regular seat attached to that vehicle.

23 (2) A bicycle or motorcycle shall not be used to carry more  
 24 persons at 1 time than the number for which it is designed and  
 25 equipped.

26 (3) An electric personal assistive mobility device or an  
 27 electric skateboard shall not be used to carry more than 1 person  
 28 at a time.

29 (4) A person less than 19 years of age operating a moped on a



1 public thoroughfare shall wear a crash helmet on his or her head. A  
 2 person less than 19 years of age operating an electric skateboard  
 3 shall wear a crash helmet on his or her head. Except as provided in  
 4 subsection (5), a person operating or riding on a motorcycle shall  
 5 wear a crash helmet on his or her head.

6 (5) The following conditions apply to a person 21 years of age  
 7 or older operating or riding on a motorcycle, as applicable:

8 (a) A person who is operating a motorcycle is not required to  
 9 wear a crash helmet on his or her head if he or she has had a  
 10 motorcycle endorsement on his or her operator's or chauffeur's  
 11 license for not less than 2 years or the person passes a motorcycle  
 12 safety course conducted under section 811a or 811b. ~~and satisfies~~  
 13 ~~the requirements of subdivision (c).~~

14 (b) A person who is riding on a motorcycle is not required to  
 15 wear a crash helmet on his or her head. ~~if the person or the~~  
 16 ~~operator of the motorcycle satisfies the requirements of~~  
 17 ~~subdivision (c).~~

18 ~~(c) A person who is operating a motorcycle and a person who is~~  
 19 ~~riding on a motorcycle are not required to wear crash helmets on~~  
 20 ~~their heads if the operator of the motorcycle or the rider has in~~  
 21 ~~effect security for the first-party medical benefits payable in the~~  
 22 ~~event that he or she is involved in a motorcycle accident, as~~  
 23 ~~provided in section 3103 of the insurance code of 1956, 1956 PA~~  
 24 ~~218, MCL 500.3103, in 1 of the following amounts, as applicable:~~

25 ~~(i) A motorcycle operator without a rider, not less than~~  
 26 ~~\$20,000.00.~~

27 ~~(ii) A motorcycle operator with a rider, not less than~~  
 28 ~~\$20,000.00 per person per occurrence. However, if the rider has~~  
 29 ~~security in an amount not less than \$20,000.00, then the operator~~



1 ~~is only required to have security in the amount of not less than~~  
2 ~~\$20,000.00.~~

3 (6) Crash helmets shall be approved by the department of state  
4 police. The department of state police shall promulgate rules for  
5 the implementation of this section under the administrative  
6 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. Rules in  
7 effect on June 1, 1970, apply to helmets required by this act.

8 (7) The crash helmet requirements under this section do not  
9 apply to a person operating or riding in an autocytle if the  
10 vehicle is equipped with a roof that meets or exceeds standards for  
11 a crash helmet.

12 (8) A person operating or riding in an autocytle shall wear  
13 seat belts when on a public highway in this state.

14 (9) A person under the age of 12 shall not operate an electric  
15 skateboard on a public highway or street.

16 Sec. 665. (1) Before beginning research or testing on a  
17 highway or street in this state of an automated motor vehicle,  
18 technology that allows a motor vehicle to operate without a human  
19 operator, or any automated driving system installed in a motor  
20 vehicle under this section, the manufacturer of automated driving  
21 systems or upfitter performing that research or testing shall  
22 submit proof satisfactory to the secretary of state that the  
23 vehicle is insured ~~under chapter 31~~ **under an insurance policy that**  
24 **meets the requirements of section 3009** of the insurance code of  
25 1956, 1956 PA 218, MCL ~~500.3101 to 500.3179~~ **500.3009**.

26 (2) A manufacturer of automated driving systems or upfitter  
27 shall ensure that all of the following circumstances exist when  
28 researching or testing the operation, including operation without a  
29 human operator, of an automated motor vehicle or any automated



1 technology or automated driving system installed in a motor vehicle  
2 upon a highway or street:

3 (a) The vehicle is operated only by an employee, contractor,  
4 or other person designated or otherwise authorized by that  
5 manufacturer of automated driving systems or upfitter. This  
6 subdivision does not apply to a university researcher or an  
7 employee of the state transportation department or the department  
8 described in subsection (3).

9 (b) An individual described in subdivision (a) has the ability  
10 to monitor the vehicle's performance while it is being operated on  
11 a highway or street in this state and, if necessary, promptly take  
12 control of the vehicle's movements. If the individual does not, or  
13 is unable to, take control of the vehicle, the vehicle shall be  
14 capable of achieving a minimal risk condition.

15 (c) The individual operating the vehicle under subdivision (a)  
16 and the individual who is monitoring the vehicle for purposes of  
17 subdivision (b) may lawfully operate a motor vehicle in the United  
18 States.

19 (3) A university researcher or an employee of the state  
20 transportation department or the department who is engaged in  
21 research or testing of automated motor vehicles may operate an  
22 automated motor vehicle if the operation is in compliance with  
23 subsection (2).

24 (4) An automated motor vehicle may be operated on a street or  
25 highway in this state.

26 (5) When engaged, an automated driving system allowing for  
27 operation without a human operator shall be considered the driver  
28 or operator of a vehicle for purposes of determining conformance to  
29 any applicable traffic or motor vehicle laws and shall be deemed to



1 satisfy electronically all physical acts required by a driver or  
2 operator of the vehicle.

3 (6) The Michigan council on future mobility is created within  
4 the state transportation department. The council shall provide to  
5 the governor, legislature, department, state transportation  
6 department, department of insurance and financial services,  
7 department of technology, management, and budget, and department of  
8 state police recommendations for changes in state policy to ensure  
9 that this state continues to be the world leader in autonomous,  
10 driverless, and connected vehicle technology. The council created  
11 under this subsection shall consist of all of the following  
12 members, who shall serve without compensation:

13 (a) Eleven individuals appointed by the governor who represent  
14 the interests of local government or are business, policy,  
15 research, or technological leaders in future mobility. The  
16 individuals appointed under this subdivision shall be voting  
17 members.

18 (b) One individual appointed by the governor who is  
19 representative of insurance interests. The individual appointed  
20 under this subdivision shall be a voting member.

21 (c) Two state senators appointed by the senate majority leader  
22 to serve as nonvoting ex officio members. One of the senators  
23 appointed under this subdivision shall be a member of the majority  
24 party, and 1 of the senators appointed under this subdivision shall  
25 be a member of the minority party.

26 (d) Two state representatives appointed by the speaker of the  
27 house of representatives to serve as nonvoting ex officio members.  
28 One of the representatives appointed under this subdivision shall  
29 be a member of the majority party, and 1 of the representatives



1 appointed under this subdivision shall be a member of the minority  
2 party.

3 (e) The secretary of state or his or her designee. The  
4 individual appointed under this subdivision shall be a voting  
5 member.

6 (f) The director of the state transportation department or his  
7 or her designee. The individual appointed under this subdivision  
8 shall be a voting member.

9 (g) The director of the department of state police or his or  
10 her designee. The individual appointed under this subdivision shall  
11 be a voting member.

12 (h) The director of the department of insurance and financial  
13 services or his or her designee. The individual appointed under  
14 this subdivision shall be a voting member.

15 (i) The director of the department of technology, management,  
16 and budget or his or her designee. The individual appointed under  
17 this subdivision shall be a voting member.

18 (7) The governor shall designate 1 or more of the members of  
19 the commission to serve as chairperson of the commission who shall  
20 serve at the governor's pleasure.

21 (8) The council created under subsection (6) shall submit  
22 recommendations for statewide policy changes and updates no later  
23 than March 31, 2017 and shall continue to make recommendations  
24 annually thereafter, or more frequently in the commission's  
25 discretion.

26 (9) A person may operate a platoon on a street or highway of  
27 this state if the person files a plan for general platoon  
28 operations with the department of state police and the state  
29 transportation department before starting platoon operations. If



1 the plan is not rejected by either the department of state police  
2 or the state transportation department within 30 days after receipt  
3 of the plan, the person shall be allowed to operate the platoon.

4 (10) All of the following apply to a platoon:

5 (a) Vehicles in a platoon shall not be considered a  
6 combination of vehicles for purposes of this act.

7 (b) The lead vehicle in a platoon shall not be considered to  
8 draw the other vehicles.

9 (c) If the platoon includes a commercial motor vehicle, an  
10 appropriately endorsed driver who holds a valid commercial driver  
11 license shall be present behind the wheel of each commercial motor  
12 vehicle in the platoon.

13 Sec. 665b. (1) A motor vehicle manufacturer may participate in  
14 a SAVE project if it self-certifies to all of the following:

15 (a) That it is a motor vehicle manufacturer. A person that is  
16 not a motor vehicle manufacturer may not participate in a SAVE  
17 project.

18 (b) That each vehicle in the participating fleet is owned or  
19 controlled by the motor vehicle manufacturer and is equipped with  
20 all of the following:

21 (i) An automated driving system.

22 (ii) Automatic crash notification technology.

23 (iii) A data recording system that has the capacity to record  
24 the automated driving system's status and other vehicle attributes  
25 including, but not limited to, speed, direction, and location  
26 during a specified time period before a crash as determined by the  
27 motor vehicle manufacturer.

28 (c) That the participating fleet complies with all applicable  
29 state and federal laws.



1 (d) That each vehicle in the participating fleet is capable of  
2 being operated in compliance with applicable traffic and motor  
3 vehicle laws of this state.

4 (2) A motor vehicle manufacturer's eligibility to participate  
5 in a SAVE project under this section is conditioned solely upon  
6 meeting the requirements of this section. A motor vehicle  
7 manufacturer shall verify its satisfaction of the requirements of  
8 this section using the self-certification described in subsection  
9 (1).

10 (3) All of the following apply to a motor vehicle manufacturer  
11 that participates in a SAVE project:

12 (a) The motor vehicle manufacturer may commence a SAVE project  
13 at any time after it notifies the department that it has self-  
14 certified as provided in subsection (1). The notification required  
15 by this subdivision shall also set forth the geographical  
16 boundaries for the SAVE project. A motor vehicle manufacturer may  
17 make multiple notifications under this subsection.

18 (b) The motor vehicle manufacturer may participate in a SAVE  
19 project under any terms it deems appropriate so long as the terms  
20 are consistent with this section and other applicable law.

21 (c) The motor vehicle manufacturer shall determine the  
22 geographical boundaries for a SAVE project, which may include, but  
23 are not limited to, any of the following:

24 (i) A designated area within a municipality.

25 (ii) An area maintained by a regional authority.

26 (iii) A university campus.

27 (iv) A development that caters to senior citizens.

28 (v) A geographic or demographic area that is similar to the  
29 areas described in subparagraphs (i) to (iv).



1 (d) Public operation of a participating fleet shall be  
2 confined to the boundaries selected by the motor vehicle  
3 manufacturer under subdivision (c).

4 (e) For the duration of a SAVE project, the motor vehicle  
5 manufacturer shall maintain incident records and provide periodic  
6 summaries related to the safety and efficacy of travel of the  
7 participating fleet to the department and the National Highway  
8 Traffic Safety Administration.

9 (f) An individual who participates in a SAVE project is deemed  
10 by his or her participation to have consented to the collection of  
11 the information described in subdivision (e) while he or she is in  
12 a vehicle that is part of the participating fleet and to the  
13 provision of the summaries to the department and the National  
14 Highway Traffic Safety Administration as described in subdivision  
15 (e). Before commencing a SAVE project, and for the duration of the  
16 SAVE project, the motor vehicle manufacturer shall make publicly  
17 available a privacy statement disclosing its data handling  
18 practices in connection with the applicable participating fleet.

19 (4) When engaged, an automated driving system or any remote or  
20 expert-controlled assist activity shall be considered the driver or  
21 operator of the vehicle for purposes of determining conformance to  
22 any applicable traffic or motor vehicle laws and shall be deemed to  
23 satisfy electronically all physical acts required by a driver or  
24 operator of the vehicle. A motor vehicle manufacturer shall insure  
25 each vehicle in a participating fleet ~~as required under this act~~  
26 ~~and chapter 31 under an insurance policy that complies with section~~  
27 ~~3009 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to~~  
28 ~~500.3179.~~ **500.3009.** For each SAVE project in which it participates,  
29 during the time that an automated driving system is in control of a



1 vehicle in the participating fleet, a motor vehicle manufacturer  
2 shall assume liability for each incident in which the automated  
3 driving system is at fault. ~~, subject to chapter 31 of the~~  
4 ~~insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179.~~

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

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

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

26 (c) Immediately for each case charging a violation of section  
27 82127(1) or (3) or 81134 of the natural resources and environmental  
28 protection act, 1994 PA 451, MCL 324.82127 and 324.81134, or a  
29 local ordinance substantially corresponding to those sections.



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

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

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

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

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

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

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

24 (f) Whether bail was forfeited.

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

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

29 (i) Other information considered necessary to the secretary of



1 state.

2 (4) The clerk of the court also shall forward an abstract of  
3 the court record to the secretary of state upon a person's  
4 conviction or, for the purposes of subdivision (d), a finding or  
5 admission of responsibility, involving any of the following:

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

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

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

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

14 (e) A violation of section 411a(2) of the Michigan penal code,  
15 1931 PA 328, MCL 750.411a.

16 (f) A violation of motor carrier safety regulations 49 CFR  
17 392.10 or 392.11 as adopted by section 1a of the motor carrier  
18 safety act of 1963, 1963 PA 181, MCL 480.11a.

19 (g) A violation of section 57 of the pupil transportation act,  
20 1990 PA 187, MCL 257.1857.

21 (h) An attempt to violate, a conspiracy to violate, or a  
22 violation of part 74 of the public health code, 1978 PA 368, MCL  
23 333.7401 to 333.7461, or a local ordinance that prohibits conduct  
24 prohibited under part 74 of the public health code, 1978 PA 368,  
25 MCL 333.7401 to 333.7461, unless the convicted person is sentenced  
26 to life imprisonment or a minimum term of imprisonment that exceeds  
27 1 year for the offense.

28 (i) An attempt to commit an offense described in subdivisions  
29 (a) to (g).



1 (j) A violation of chapter LXXXIII-A of the Michigan penal  
2 code, 1931 PA 328, MCL 750.543a to 750.543z.

3 (k) A violation of section ~~3101, 3102(1), or 3103 of the~~  
4 ~~insurance code of 1956, 1956 PA 218, MCL 500.3101, 500.3102, and~~  
5 ~~500.3103.~~**328.**

6 (l) A violation listed as a disqualifying offense under 49 CFR  
7 383.51.

8 (5) The clerk of the court shall also forward an abstract of  
9 the court record to the secretary of state if a person has pled  
10 guilty to, or offered a plea of admission in a juvenile proceeding  
11 for, a violation of section 703 of the Michigan liquor control code  
12 of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance  
13 substantially corresponding to that section, and has had further  
14 proceedings deferred under that section. If the person is sentenced  
15 to a term of probation and terms and conditions of probation are  
16 fulfilled and the court discharges the individual and dismisses the  
17 proceedings, the court shall also report the dismissal to the  
18 secretary of state.

19 (6) As used in subsections (7) to (9), "felony in which a  
20 motor vehicle was used" means a felony during the commission of  
21 which the person operated a motor vehicle and while operating the  
22 vehicle presented real or potential harm to persons or property and  
23 1 or more of the following circumstances existed:

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

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

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

27 (d) The vehicle was necessary for the commission of the  
28 felony.

29 (7) If a person is charged with a felony in which a motor



1 vehicle was used, other than a felony specified in subsection (4)  
2 or section 319, the prosecuting attorney shall include the  
3 following statement on the complaint and information filed in  
4 district or circuit court:

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

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

16 "You are accused of an act the nature of which constitutes a  
17 felony in which a motor vehicle was used. If the accusation is  
18 found to be true and the judge or referee finds that the nature of  
19 the act constitutes a felony in which a motor vehicle was used, as  
20 defined in section 319 of the Michigan vehicle code, 1949 PA 300,  
21 MCL 257.319, your driver's license shall be suspended by the  
22 secretary of state.".

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

29 (10) As used in subsections (11) and (12), "felony in which a



1 commercial motor vehicle was used" means a felony during the  
 2 commission of which the person operated a commercial motor vehicle  
 3 and while the person was operating the vehicle 1 or more of the  
 4 following circumstances existed:

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

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

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

8 (d) The vehicle was necessary for the commission of the  
 9 felony.

10 (11) If a person is charged with a felony in which a  
 11 commercial motor vehicle was used and for which a vehicle group  
 12 designation on a license is subject to suspension or revocation  
 13 under section 319b(1) (c) (iii), ~~319b(1) (d), 319b(1) (e) (iii), or~~  
 14 ~~319b(1) (f) (i), (d), (e) (iii), or (f) (i)~~, the prosecuting attorney  
 15 shall include the following statement on the complaint and  
 16 information filed in district or circuit court:

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

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



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

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

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

(c) The time period covered by the certification.

(d) The following statement:

"I certify that all abstracts required by section 732 of the Michigan vehicle code, MCL 257.732; ~~MSA 9.2432,~~ for the period \_\_\_\_\_ through \_\_\_\_\_ have been forwarded to the secretary of state."

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

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

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

(15) Except as provided in subsection (16), the secretary of state shall keep all abstracts received under this section at the secretary of state's main office and the abstracts shall be open for public inspection during the office's usual business hours. Each abstract shall be entered upon the master driving record of



1 the person to whom it pertains.

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

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

8 (b) A nonmoving violation that is not the basis for the  
9 secretary of state's suspension, revocation, or denial of an  
10 operator's or chauffeur's license.

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

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

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

23 (f) A violation of section 328(1) if, before the appearance  
24 date on the citation, the person submits proof to the court that  
25 the motor vehicle had insurance ~~meeting the requirements of~~  
26 ~~sections 3101 and 3102~~ **that complied with section 3009** of the  
27 insurance code of 1956, 1956 PA 218, MCL ~~500.3101 and 500.3102,~~  
28 **500.3009**, at the time the citation was issued. Insurance obtained  
29 subsequent to the time of the violation does not make the violation



1 an exception under this subsection.

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

6 (h) A violation of section 311 if the person was driving a  
7 noncommercial vehicle and, before the court appearance date or the  
8 date fines are to be paid, the person submits proof to the court  
9 that he or she held a valid driver license on the date the citation  
10 was issued.

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

12 (17) Except as otherwise provided in this subsection, the  
13 secretary of state shall discard and not enter on the master  
14 driving record an abstract for a bond forfeiture that occurred  
15 outside this state. The secretary of state shall enter on the  
16 master driving record an abstract for a conviction as defined in  
17 section 8a(b) that occurred outside this state in connection with  
18 the operation of a commercial motor vehicle or for a conviction of  
19 a person licensed as a commercial motor vehicle driver.

20 (18) The secretary of state shall inform the courts of this  
21 state of the nonmoving violations and violations of chapter II that  
22 are used by the secretary of state as the basis for the suspension,  
23 restriction, revocation, or denial of an operator's or chauffeur's  
24 license.

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



1 of the conviction or civil infraction determination.

2 (20) The secretary of state may permit a city or village  
3 department, bureau, person, or court to modify the requirement as  
4 to the time and manner of reporting a conviction, civil infraction  
5 determination, or settlement to the secretary of state if the  
6 modification will increase the economy and efficiency of collecting  
7 and utilizing the records. If the permitted abstract of court  
8 record reporting a conviction, civil infraction determination, or  
9 settlement originates as a part of the written notice to appear,  
10 authorized in section 728(1) or 742(1), the form of the written  
11 notice and report shall be as prescribed by the secretary of state.

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

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

25 Sec. 801e. (1) ~~When~~**If** a moped required to be registered under  
26 this act is sold by a retailer to a general purchaser, the **retailer**  
27 **shall obtain the** certificate of registration ~~shall be obtained in~~  
28 ~~the name of the purchaser. by the retailer.~~ In other cases,  
29 **circumstances, the purchaser shall obtain** the certificate of



1 registration. ~~shall be obtained by the purchaser. The~~ **An**  
 2 application ~~shall~~ **for registration must** be signed by the purchaser  
 3 of the moped and ~~shall be accompanied by a fee of \$15.00. Upon~~ **On**  
 4 receipt of ~~the~~ **an** application **for registration** in approved form,  
 5 the secretary of state shall enter the application ~~upon~~ **on** the  
 6 secretary of state's records and issue to the applicant a  
 7 certificate of registration containing the decal for the moped, the  
 8 name and address of the owner, and other information the secretary  
 9 of state considers necessary. A moped ~~shall~~ **is** not be required to  
 10 be insured. ~~in the manner specified for motor vehicles under~~  
 11 ~~chapter 31 of Act No. 218 of the Public Acts of 1956, as amended,~~  
 12 ~~being sections 500.3101 to 500.3179 of the Michigan Compiled Laws.~~  
 13 The certificate of registration ~~shall~~ **must** be pocket size, ~~shall~~  
 14 **must** accompany the vehicle, ~~shall~~ **must** be legible, and ~~shall~~ **must**  
 15 be made available for inspection ~~upon~~ **on** demand by a law  
 16 enforcement officer.

17 (2) ~~A~~ **The secretary of state shall issue a** decal indicating  
 18 that ~~the~~ **a** certificate of registration **issued under subsection (1)**  
 19 is in full force and effect. ~~shall be issued. A~~ **The secretary of**  
 20 **state shall not issue a** registration certificate and decal ~~shall~~  
 21 ~~not be issued~~ earlier than 90 days ~~preceding~~ **before** the  
 22 commencement date of the new registration period. ~~Display of~~ **The**  
 23 **owner or operator shall display** the decal ~~shall be~~ as prescribed by  
 24 rule promulgated by the secretary of state.

25 (3) A retailer or manufacturer of mopeds, ~~upon~~ **on** application  
 26 to the secretary of state ~~upon~~ **on** forms provided by the secretary  
 27 of state, may obtain certificates of registration for use in the  
 28 testing or demonstrating of a moped ~~upon~~ **on** payment of \$10.00 for  
 29 each of the first 2 registration certificates. Additional



1 certificates may be issued at a cost of \$5.00 each and used by the  
2 applicant only in the testing or demonstrating of mopeds by  
3 temporary placement of the registration on the moped being tested  
4 or demonstrated. A certificate issued ~~pursuant to~~**under** this  
5 subsection may be used on only 1 moped at ~~any given a~~ time.

6 (4) A moped registration ~~shall be~~**is** valid for a 3-year period  
7 ~~which~~**that** begins on May 1 and expires on April 30 of the third  
8 registration year. For purposes of this subsection, a registration  
9 year begins on May 1 and ends on April 30.

10 Enacting section 1. This amendatory act takes effect January  
11 1, 2020.

12 Enacting section 2. This amendatory act does not take effect  
13 unless Senate Bill No.\_\_\_\_ or House Bill No.\_\_\_\_ (request no.  
14 00650'19) of the 100th Legislature is enacted into law.

