

SENATE BILL NO. 73

January 29, 2019, Introduced by Senators CHANG, JOHNSON, HOLLIER, IRWIN, WOJNO, THEIS, POLEHANKI, MCMORROW, MOSS, BAYER, BARRETT and DALEY and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 40b, 307, 310, and 314 (MCL 257.40b, 257.307, 257.310, and 257.314), section 40b as amended by 2012 PA 498, sections 307 and 310 as amended by 2018 PA 177, and section 314 as amended by 2011 PA 159, 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 enrolled in the address confidentiality**
16 **program under the address confidentiality program act and the**
17 emergency contact information under section 310(13). **As used in**
18 **this subsection, "confidential address" means that term as defined**
19 **in the address confidentiality program act.**

20 Sec. 307. (1) If an applicant for an operator's license or
21 chauffeur's license to operate a noncommercial motor vehicle is a
22 citizen of the United States, the applicant shall supply a
23 photographic identity document, a birth certificate, or other
24 sufficient documents as the secretary of state may require, to
25 verify the identity and citizenship of the applicant. If an
26 applicant for an operator's or chauffeur's license is not a citizen
27 of the United States, the applicant shall supply a photographic
28 identity document and other sufficient documents to verify the
29 identity of the applicant and the applicant's legal presence in the

1 United States under subdivision (b). The documents required under
2 this subsection shall include the applicant's full legal name, date
3 of birth, and address and residency and demonstrate that the
4 applicant is a citizen of the United States or is legally present
5 in the United States. If the applicant's full legal name differs
6 from the name of the applicant that appears on a document presented
7 under this subsection, the applicant shall present documents to
8 verify his or her current full legal name. The secretary of state
9 shall accept as 1 of the required identification documents an
10 identification card issued by the department of corrections to
11 prisoners who are placed on parole or released from a correctional
12 facility, containing the prisoner's legal name, photograph, and
13 other information identifying the prisoner as provided in section
14 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237. An
15 application for an operator's or chauffeur's license shall be made
16 in a manner prescribed by the secretary of state and shall contain
17 all of the following:

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

26 (b) If the applicant is not a citizen of the United States,
27 the applicant shall provide, and the department shall verify,
28 documents demonstrating his or her legal presence in the United
29 States. Nothing in this act shall obligate or be construed to

1 obligate this state to comply with title II of the real ID act of
2 2005, Public Law 109-13. The secretary of state may adopt rules
3 under the administrative procedures act of 1969, 1969 PA 306, MCL
4 24.201 to 24.328, as are necessary for the administration of this
5 subdivision. A determination by the secretary of state that an
6 applicant is not legally present in the United States may be
7 appealed under section 631 of the revised judicature act of 1961,
8 1961 PA 236, MCL 600.631. The secretary of state shall not issue an
9 operator's license or a chauffeur's license to an applicant
10 described in this subdivision for a term that exceeds the duration
11 of the applicant's legal presence in the United States.

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

18 "NOTICE: Michigan law requires that the same address be
19 used for voter registration and driver license purposes.
20 Therefore, if the residence address you provide in this
21 application differs from your voter registration address
22 as it appears on the qualified voter file, the secretary
23 of state will automatically change your voter registration
24 to match the residence address on this application, after
25 which your voter registration at your former address will
26 no longer be valid for voting purposes. A new voter
27 registration card, containing the information of your
28 polling place, will be provided to you by the clerk of the
29 jurisdiction where your residence address is located."

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

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

8 (i) The applicant meets the applicable federal driver
9 qualification requirements under 49 CFR parts 383 and 391 or meets
10 the applicable qualifications of the department of state police
11 under the motor carrier safety act of 1963, 1963 PA 181, MCL 480.11
12 to 480.25.

13 (ii) The vehicle in which the applicant will take the driving
14 28 skills tests is representative of the type of vehicle the
15 applicant operates or intends to operate.

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

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

22 (f) An applicant for an operator's or chauffeur's license with
23 a vehicle group designation and a hazardous material indorsement
24 shall provide his or her fingerprints as prescribed by state and
25 federal law.

26 **(g) An applicant for an operator's or chauffeur's license who**
27 **is a participant in the address confidentiality program under the**
28 **address confidentiality program act shall provide to the secretary**
29 **of state his or her participation card issued under the address**

confidentiality program act.

(2) An applicant for an operator's or chauffeur's license may have his or her image and signature captured or reproduced when the application for the license is made. The secretary of state shall acquire equipment purchased or leased under this section under standard purchasing procedures of the department of technology, management, and budget based on standards and specifications established by the secretary of state. The secretary of state shall not purchase or lease equipment until an appropriation for the equipment has been made by the legislature. A digital photographic image and signature captured under this section shall appear on the applicant's operator's license or chauffeur's license. A person's digital photographic image and signature shall be used as follows:

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

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

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

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

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

(3) An application shall contain a signature or verification and certification by the applicant, as determined by the secretary

1 of state, and shall be accompanied by the proper fee. The secretary
2 of state shall collect the application fee with the application.
3 The secretary of state shall refund the application fee to the
4 applicant if the license applied for is denied, but shall not
5 refund the fee to an applicant who fails to complete the
6 examination requirements of the secretary of state within 90 days
7 after the date of application for a license.

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

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

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

22 (i) Information explaining the applicant's right to make an
23 anatomical gift in the event of death in accordance with section
24 310.

25 (ii) Information describing the anatomical gift donor registry
26 program under part 101 of the public health code, 1978 PA 368, MCL
27 333.10101 to 333.10123. The information required under this
28 subparagraph includes the address and telephone number of
29 Michigan's federally designated organ procurement organization as

1 that term is defined in section 10102 of the public health code,
2 1978 PA 368, MCL 333.10102, or its successor organization.

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

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

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

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

16 (a) Providing printed material enclosed with a mailed notice
17 for an operator's or chauffeur's license renewal or the issuance of
18 an operator's or chauffeur's license.

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

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

23 (6) The secretary of state shall maintain a record of an
24 individual who indicates a willingness to have his or her name
25 placed on the donor registry described in subsection (4) (b) (ii).
26 Information about an applicant's indication of a willingness to
27 have his or her name placed on the donor registry that is obtained
28 by the secretary of state under subsection (4) and forwarded under
29 subsection (14) is exempt from disclosure under section 13(1) (d) of

1 the freedom of information act, 1976 PA 442, MCL 15.243. The
2 secretary of state is not required to maintain a record of an
3 individual who does not indicate a willingness to have his or her
4 name placed on the donor registry described in subsection (4) (b) (ii)
5 or an individual who does not respond to an inquiry under
6 subsection (4) (a).

7 (7) If an application is received from a person previously
8 licensed in another jurisdiction, the secretary of state shall
9 request a copy of the applicant's driving record and other
10 available information from the National Driver Register. When
11 received, the driving record and other available information become
12 a part of the driver's record in this state.

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

1 383.5, and may verify the person's proof of citizenship or lawful
2 permanent residency under 49 CFR 383.71 and 383.73, if that
3 information is not on the person's Michigan driving record. The
4 secretary of state shall request the person's complete driving
5 record from all states where the applicant was previously licensed
6 to drive any type of motor vehicle over the last 10 years before
7 issuing a vehicle group designation or indorsement to the
8 applicant. If the applicant does not hold a valid commercial motor
9 vehicle driver license from a state where he or she was licensed in
10 the last 10 years, this complete driving record request must be
11 made not earlier than 24 hours before the secretary of state issues
12 the applicant a vehicle group designation or indorsement. For all
13 other drivers, this request must be made not earlier than 10 days
14 before the secretary of state issues the applicant a vehicle group
15 designation or indorsement. If the application is for the renewal
16 of a vehicle group designation or indorsement, and if the secretary
17 of state enters on the person's driving record maintained under
18 section 204a a notation that the request was made and the date of
19 the request, the secretary of state is required to request the
20 applicant's complete driving record from other states only once
21 under this section. The secretary of state shall also check the
22 applicant's driving record with the National Driver Register and
23 the federal Commercial Driver's License Information System before
24 issuing that group designation or indorsement.

25 (9) Except for a vehicle group designation or indorsement or
26 as provided in this subsection or section 314(5), the secretary of
27 state may issue a renewal operator's or chauffeur's license for 1
28 additional 4-year period or until the person is no longer
29 determined to be legally present under this section by mail or by

1 other methods prescribed by the secretary of state. The secretary
2 of state may check the applicant's driving record through the
3 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 is a person required under section 5a of the sex
7 offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a
8 valid operator's or chauffeur's license or official state personal
9 identification card. If a license is renewed by mail or by other
10 method, the secretary of state shall issue evidence of renewal to
11 indicate the date the license expires in the future. The department
12 of state police shall provide to the secretary of state updated
13 lists of persons required under section 5a of the sex offenders
14 registration act, 1994 PA 295, MCL 28.725a, to maintain a valid
15 operator's or chauffeur's license or official state personal
16 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 shall 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
9 Social Security number on the person's operator's or chauffeur's
10 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 holding an operator's
2 license or chauffeur's license issued by another state without
3 confirmation that the person is terminating or has terminated the
4 operator's license or chauffeur's license issued by the other
5 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. 310. (1) The secretary of state shall issue an operator's
26 license to each person licensed as an operator and a chauffeur's
27 license to each person licensed as a chauffeur. An applicant for a
28 motorcycle indorsement under section 312a or a vehicle group
29 designation or indorsement shall first qualify for an operator's or

1 chauffeur's license before the indorsement or vehicle group
2 designation application is accepted and processed. An original
3 license or the first renewal of an existing license issued to a
4 person less than 21 years of age shall be portrait or vertical in
5 form and a license issued to a person 21 years of age or over shall
6 be landscape or horizontal in form.

7 (2) The license issued under subsection (1) shall contain all
8 of the following:

9 (a) The distinguishing number permanently assigned to the
10 licensee.

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

15 (c) In the case of a licensee who has indicated his or her
16 wish to participate in the anatomical gift donor registry under
17 part 101 of the public health code, 1978 PA 368, MCL 333.10101 to
18 333.10123, a heart insignia on the front of the license.

19 (d) Physical security features designed to prevent tampering,
20 counterfeiting, or duplication of the license for fraudulent
21 purposes.

22 (e) If requested by an individual who is a veteran of the
23 armed forces of this state, another state, or the United States, a
24 designation that the individual is a veteran. The designation shall
25 be in a style and format considered appropriate by the secretary of
26 state. The secretary of state shall require proof of discharge or
27 separation of service from the armed forces of this state, another
28 state, or the United States, and the nature of that discharge, for
29 the purposes of verifying an individual's status as a veteran under

1 this subdivision. The secretary of state shall consult with the
2 department of military and veterans affairs in determining the
3 proof that shall be required to identify an individual's status as
4 a veteran for the purposes of this subsection. The secretary of
5 state may provide the department of military and veterans affairs
6 and agencies of the counties of this state that provide veteran
7 services with information provided by an applicant under this
8 subsection for the purpose of veterans' benefits eligibility
9 referral. As used in this subdivision, "veteran" means that term as
10 defined in section 1 of 1965 PA 190, MCL 35.61.

11 (3) Except as otherwise required under this chapter, other
12 information required on the license ~~pursuant to~~**under** this chapter
13 may appear on the license in a form prescribed by the secretary of
14 state.

15 (4) The license shall not contain a fingerprint or finger
16 image of the licensee.

17 (5) A digitized license may contain an identifier for voter
18 registration purposes. The digitized license may contain
19 information appearing in electronic or machine readable codes
20 needed to conduct a transaction with the secretary of state. The
21 information shall be limited to the information described in
22 subsection (2) (a) and (b) except for the person's digital
23 photographic image and signature, state of issuance, license
24 expiration date, and other information necessary for use with
25 electronic devices, machine readers, or automatic teller machines
26 and shall not contain the driving record or other personal
27 identifier. The license shall identify the encoded information.

28 (6) The license shall be manufactured in a manner to prohibit
29 as nearly as possible the ability to reproduce, alter, counterfeit,

1 forge, or duplicate the license without ready detection. In
2 addition, a license with a vehicle group designation shall contain
3 the information required under 49 CFR part 383.

4 (7) Except as provided in subsection (11), a person who
5 intentionally reproduces, alters, counterfeits, forges, or
6 duplicates a license photograph, the negative of the photograph,
7 image, license, or electronic data contained on a license or a part
8 of a license or who uses a license, image, or photograph that has
9 been reproduced, altered, counterfeited, forged, or duplicated is
10 subject to 1 of the following:

11 (a) If the intent of the reproduction, alteration,
12 counterfeiting, forging, duplication, or use is to commit or aid in
13 the commission of an offense that is a felony punishable by
14 imprisonment for 10 or more years, the person committing the
15 reproduction, alteration, counterfeiting, forging, duplication, or
16 use is guilty of a felony, punishable by imprisonment for not more
17 than 10 years or a fine of not more than \$20,000.00, or both.

18 (b) If the intent of the reproduction, alteration,
19 counterfeiting, forging, duplication, or use is to commit or aid in
20 the commission of an offense that is a felony punishable by
21 imprisonment for less than 10 years or a misdemeanor punishable by
22 imprisonment for 6 months or more, the person committing the
23 reproduction, alteration, counterfeiting, forging, duplication, or
24 use is guilty of a felony, punishable by imprisonment for not more
25 than 5 years, or a fine of not more than \$10,000.00, or both.

26 (c) If the intent of the reproduction, alteration,
27 counterfeiting, forging, duplication, or use is to commit or aid in
28 the commission of an offense that is a misdemeanor punishable by
29 imprisonment for less than 6 months, the person committing the

1 reproduction, alteration, counterfeiting, forging, duplication, or
2 use is guilty of a misdemeanor punishable by imprisonment for not
3 more than 1 year or a fine of not more than \$2,000.00, or both.

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

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

18 (10) Except as provided in subsection (16), a person who is in
19 possession of a reproduced, altered, counterfeited, forged, or
20 duplicated license photograph, negative of the photograph, image,
21 license, or electronic data contained on a license or part of a
22 license is guilty of a misdemeanor punishable by imprisonment for
23 not more than 1 year or a fine of not more than \$2,000.00, or both.

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

27 (12) The secretary of state, upon determining after an
28 examination that an applicant is mentally and physically qualified
29 to receive a license, may issue the applicant a temporary driver's

1 permit. The temporary driver's permit entitles the applicant, while
2 having the permit in his or her immediate possession, to operate a
3 motor vehicle upon the highway for a period not exceeding 60 days
4 before the secretary of state has issued the applicant an
5 operator's or chauffeur's license. The secretary of state may
6 establish a longer duration for the validity of a temporary
7 driver's permit if necessary to accommodate the process of
8 obtaining a background check that is required for an applicant by
9 federal law.

10 (13) An operator or chauffeur may indicate on the license in a
11 place designated by the secretary of state his or her blood type,
12 emergency contact information, immunization data, medication data,
13 or a statement that the licensee is deaf. The secretary of state
14 shall not require an applicant for an original or renewal
15 operator's or chauffeur's license to provide emergency contact
16 information as a condition of obtaining a license. However, the
17 secretary of state may inquire whether an operator or chauffeur
18 would like to provide emergency contact information. Emergency
19 contact information obtained under this subsection shall be
20 disclosed only to a state or federal law enforcement agency for law
21 enforcement purposes or to the extent necessary for a medical
22 emergency. No later than January 1, 2017, the secretary of state
23 shall develop and shall, in conjunction with the department of
24 state police, implement a process using the L.E.I.N. or any other
25 appropriate system that limits access to law enforcement that would
26 allow law enforcement agencies of this state to access emergency
27 contact information that the holder of an operator's license has
28 voluntarily provided to the secretary of state. As used in this
29 subsection, "emergency contact information" means the name,

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

4 (14) An operator or chauffeur may indicate on the license in a
5 place designated by the secretary of state that he or she has
6 designated a patient advocate in accordance with sections 5506 to
7 5515 of the estates and protected individuals code, 1998 PA 386,
8 MCL 700.5506 to 700.5515.

9 (15) If the applicant provides proof to the secretary of state
10 that he or she is a minor who has been emancipated under 1968 PA
11 293, MCL 722.1 to 722.6, the license shall bear the designation of
12 the individual's emancipated status in a manner prescribed by the
13 secretary of state.

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

18 (17) A sticker or decal may be provided by any person,
19 hospital, school, medical group, or association interested in
20 assisting in implementing an emergency medical information card,
21 but shall meet the specifications of the secretary of state. An
22 emergency medical information card may contain information
23 concerning the licensee's patient advocate designation, other
24 emergency medical information, or an indication as to where the
25 licensee has stored or registered emergency medical information.

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

1 (19) A licensee who has agreed to participate in the
2 anatomical gift donor registry under part 101 of the public health
3 code, 1978 PA 368, MCL 333.10101 to 333.10123, shall not be
4 considered to have revoked that agreement solely because the
5 licensee's license has been revoked or suspended or has expired.
6 Enrollment in the donor registry constitutes a legal agreement that
7 remains binding and in effect after the donor's death regardless of
8 the expressed desires of the deceased donor's next of kin who may
9 oppose the donor's anatomical gift.

10 (20) If an operator's or chauffeur's license is issued to an
11 individual described in section 307(1)(b) who has temporary lawful
12 status, the license shall be issued in compliance with 6 CFR 37.21
13 or in compliance with the process established to comply with 6 CFR
14 37.71 by the secretary of state. As used in this subsection,
15 "temporary lawful status" means that term as defined in 6 CFR 37.3.

16 **Sec. 310f. (1) Beginning on February 16, 2021, upon receipt of**
17 **a notice from the department of the attorney general that an**
18 **individual who has been issued an operator's or chauffeur's license**
19 **under this act has been certified as a participant in the address**
20 **confidentiality program, the secretary of state shall issue a**
21 **corrected operator's or chauffeur's license to that individual by**
22 **mailing the license to his or her designated address. The**
23 **operator's or chauffeur's license shall display the individual's**
24 **designated address and shall not display the individual's residence**
25 **address.**

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

29 (3) An individual whose certification as a participant in the

1 address confidentiality program is renewed under the address
2 confidentiality program act may renew a license issued under this
3 section upon payment of the renewal fee under section 811.

4 (4) As used in this section:

5 (a) "Address confidentiality program" means a program as that
6 term is defined in the address confidentiality program act.

7 (b) "Designated address" means that term as defined in the
8 address confidentiality program act.

9 Sec. 314. (1) Except as otherwise provided in this section **and**
10 **section 310f**, operator's licenses and chauffeur's licenses expire
11 on the birthday of the person to whom the license is issued in the
12 fourth year following the date of the issuance of the license or on
13 the date the person is no longer considered to be legally present
14 in the United States under section 307, whichever is earlier,
15 unless suspended or revoked before that date. A license shall not
16 be issued for a period longer than 4 years. A person holding a
17 license at any time 12 months before the expiration of his or her
18 license may apply for a new license as provided for in this
19 chapter. A knowledge test for an original group designation or
20 indorsement may be taken at any time during this period and the
21 results are valid for 12 months. A license renewed under this
22 subsection shall be renewed for the time remaining on the license
23 before its renewal combined with the 4-year renewal period.

24 (2) ~~The~~ **Except as provided in section 310f, the** first
25 operator's license issued to a person who at the time of
26 application is less than 20-1/2 years of age expires on the
27 licensee's twenty-first birthday or on the date the person is no
28 longer considered to be legally present in the United States under
29 section 307, whichever is earlier, unless suspended or revoked.

1 (3) ~~The~~ **Except as provided in section 310f, the** first
2 chauffeur's license issued to a person expires on the licensee's
3 birthday in the fourth year following the date of issuance or on
4 the date the person is no longer considered to be legally present
5 in the United States under section 307, whichever is earlier,
6 unless the license is suspended or revoked before that date. ~~The~~
7 **Except as provided in section 310f, the** chauffeur's license of a
8 person who at the time of application is less than 20-1/2 years of
9 age expires on the licensee's twenty-first birthday or on the date
10 the person is no longer considered to be legally present in the
11 United States under section 307, whichever is earlier, unless
12 suspended or revoked. A subsequent chauffeur's license expires on
13 the birthday of the person to whom the license is issued in the
14 fourth year following the date of issuance of the license or on the
15 date the person is no longer considered to be legally present in
16 the United States under section 307, whichever is earlier, unless
17 the license is suspended or revoked before that date.

18 (4) A person may apply for an extension of his or her driving
19 privileges if he or she is out of state on the date that his or her
20 operator's or chauffeur's license expires. The extension may extend
21 the license for 180 days beyond the expiration date or not more
22 than 2 weeks after the applicant returns to Michigan, whichever
23 occurs first. This subsection does not apply to a person who fails
24 to meet the requirements of 49 CFR parts 383 and 391 with regard to
25 medical certification documentation requirements.

26 (5) The secretary of state may issue a renewal operator's or
27 chauffeur's license to a person who will be out of state for more
28 than 180 days beyond the expiration date of his or her operator's
29 or chauffeur's license, if the secretary of state has a digital

1 image of the person on file. The applicant for this renewal shall
2 submit a statement evidencing a vision examination in accordance
3 with the rules promulgated by the secretary of state under section
4 309 and any other statement required by this act or federal law. A
5 person is not eligible for consecutive renewals of a license under
6 this subsection. This subsection does not apply to a person who
7 fails to meet the requirements of 49 CFR parts 383 and 391 with
8 regard to medical certification documentation requirements, or a
9 person with a hazardous material indorsement on his or her
10 operator's or chauffeur's license.

11 (6) The secretary of state may check the applicant's driving
12 record through the national driver register and the commercial
13 driver license information system before issuing a renewal under
14 this section.

15 Enacting section 1. This amendatory act takes effect 180 days
16 after the date it is enacted into law.

17 Enacting section 2. This amendatory act does not take effect
18 unless Senate Bill No. 70

19 of the 100th Legislature is enacted into law.