

SENATE BILL NO. 1092

September 09, 2020, Introduced by Senator LUCIDO and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 307, 307a, 310, and 315 (MCL 257.307,
257.307a, 257.310, and 257.315), section 307 as amended by 2018 PA
604, section 307a as amended by 2011 PA 159, section 310 as amended
by 2018 PA 177, and section 315 as amended by 2008 PA 7.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 307. (1) If an applicant for an operator's license or

1 chauffeur's license to operate a noncommercial motor vehicle is a
2 citizen of the United States, the applicant shall supply a
3 photographic identity document, a birth certificate, or other
4 sufficient documents as the secretary of state may require, to
5 verify the identity and citizenship of the applicant. If an
6 applicant for an operator's or chauffeur's license is not a citizen
7 of the United States, the applicant shall supply a photographic
8 identity document and other sufficient documents to verify the
9 identity of the applicant and the applicant's legal presence in the
10 United States under subdivision (b). The documents required under
11 this subsection must include the applicant's full legal name, date
12 of birth, and address and residency and demonstrate that the
13 applicant is a citizen of the United States or is legally present
14 in the United States. If the applicant's full legal name differs
15 from the name of the applicant that appears on a document presented
16 under this subsection, the applicant shall present documents to
17 verify his or her current full legal name. The secretary of state
18 shall accept as 1 of the required identification documents an
19 identification card issued by the department of corrections to
20 prisoners who are placed on parole or released from a correctional
21 facility, containing the prisoner's legal name, photograph, and
22 other information identifying the prisoner as provided in section
23 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237. An
24 application for an operator's or chauffeur's license must be made
25 in a manner prescribed by the secretary of state and must contain
26 all of the following:

27 (a) The applicant's full legal name, date of birth, residence
28 address, height, sex, eye color, signature, intent to make an
29 anatomical gift, other information required or permitted on the

1 license under this chapter, and, only to the extent required to
2 comply with federal law, the applicant's Social Security number.
3 The applicant may provide a mailing address if the applicant
4 receives mail at an address different from his or her residence
5 address.

6 (b) If the applicant is not a citizen of the United States,
7 the applicant shall provide, and the department shall verify,
8 documents demonstrating his or her legal presence in the United
9 States. Nothing in this act ~~shall~~**must** obligate or be construed to
10 obligate this state to comply with title II of the real ID act of
11 2005, Public Law 109-13. The secretary of state may adopt rules
12 under the administrative procedures act of 1969, 1969 PA 306, MCL
13 24.201 to 24.328, as are necessary for the administration of this
14 subdivision. A determination by the secretary of state that an
15 applicant is not legally present in the United States may be
16 appealed under section 631 of the revised judicature act of 1961,
17 1961 PA 236, MCL 600.631. The secretary of state shall not issue an
18 operator's license or a chauffeur's license to an applicant
19 described in this subdivision for a term that exceeds the duration
20 of the applicant's legal presence in the United States.

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

27 ~~"NOTICE: Michigan law requires that the same address~~
28 ~~be used for voter registration and driver license~~
29 ~~purposes. Therefore, if the residence address~~

~~you provide in this application differs from your voter registration address as it appears on the qualified voter file, the secretary of state will automatically change your voter registration to match the residence address on this application, after which your voter registration at your former address will no longer be valid for voting purposes. A new voter registration card, containing the information of your polling place, will be provided to you by the clerk of the jurisdiction where your residence address is located."~~

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

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

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

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

(iii) The applicant is not subject to disqualification by the United States Secretary of Transportation, or a suspension, revocation, or cancellation under any state law for conviction of

1 an offense described in section 312f or 319b.

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

4 (e) ~~(f)~~—An applicant for an operator's or chauffeur's license
5 with a vehicle group designation and a hazardous material
6 indorsement shall provide his or her fingerprints as prescribed by
7 state and federal law.

8 (f) ~~(g)~~—For automatic voter registration purposes under
9 section 493a of the Michigan election law, 1954 PA 116, MCL
10 168.493a, a space for the applicant to indicate on the application
11 or change of address application whether he or she is a citizen of
12 the United States.

13 (g) ~~(h)~~—A space to allow the applicant to indicate that the
14 applicant declines to use the application as a voter registration
15 application.

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

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

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

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

8 (d) By the secretary of state for forwarding to the department
9 of state police as provided in section 5c of 1927 PA 372, MCL
10 28.425c.

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

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

20 (3) An application must contain a signature or verification
21 and certification by the applicant, as determined by the secretary
22 of state, and must be accompanied by the proper fee. The secretary
23 of state shall collect the application fee with the application.
24 The secretary of state shall refund the application fee to the
25 applicant if the license applied for is denied, but shall not
26 refund the fee to an applicant who fails to complete the
27 examination requirements of the secretary of state within 90 days
28 after the date of application for a license.

29 (4) In conjunction with the application for an original or

1 renewal operator's license or chauffeur's license, the secretary of
2 state shall do all of the following:

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

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

14 (i) Information explaining the applicant's right to make an
15 anatomical gift in the event of death in accordance with section
16 310.

17 (ii) Information describing the anatomical gift donor registry
18 program under part 101 of the public health code, 1978 PA 368, MCL
19 333.10101 to 333.10123. The information required under this
20 subparagraph includes the address and telephone number of
21 Michigan's federally designated organ procurement organization as
22 that term is defined in section 10102 of the public health code,
23 1978 PA 368, MCL 333.10102, or its successor organization.

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

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

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

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

8 (a) Providing printed material enclosed with a mailed notice
9 for an operator's or chauffeur's license renewal or the issuance of
10 an operator's or chauffeur's license.

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

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

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

28 (7) If an application is received from a person previously
29 licensed in another jurisdiction, the secretary of state shall

1 request a copy of the applicant's driving record and other
2 available information from the National Driver Register. When
3 received, the driving record and other available information become
4 a part of the driver's record in this state.

5 (8) If a person applies for a commercial learner's permit for
6 an original vehicle group designation or indorsement to operate a
7 commercial motor vehicle, the secretary of state may verify the
8 person's identity, may require proof of Michigan domicile under 49
9 CFR 383.5, and may verify the person's proof of United States
10 citizenship or proof of lawful permanent residency as required
11 under 49 CFR 383.71 and 383.73, if that information is not on the
12 person's Michigan driving record. If a person applies for a renewal
13 of an operator's or chauffeur's license to operate a commercial
14 motor vehicle, the secretary of state may verify the person's
15 identity, may require proof of Michigan domicile under 49 CFR
16 383.5, and may verify the person's proof of citizenship or lawful
17 permanent residency under 49 CFR 383.71 and 383.73, if that
18 information is not on the person's Michigan driving record. If a
19 person applies for an upgrade of a vehicle group designation or
20 indorsement, the secretary of state may verify the person's
21 identity, may require proof of Michigan domicile under 49 CFR
22 383.5, and may verify the person's proof of citizenship or lawful
23 permanent residency under 49 CFR 383.71 and 383.73, if that
24 information is not on the person's Michigan driving record. The
25 secretary of state shall request the person's complete driving
26 record from all states where the applicant was previously licensed
27 to drive any type of motor vehicle over the last 10 years before
28 issuing a vehicle group designation or indorsement to the
29 applicant. If the applicant does not hold a valid commercial motor

1 vehicle driver license from a state where he or she was licensed in
2 the last 10 years, this complete driving record request must be
3 made not earlier than 24 hours before the secretary of state issues
4 the applicant a vehicle group designation or indorsement. For all
5 other drivers, this request must be made not earlier than 10 days
6 before the secretary of state issues the applicant a vehicle group
7 designation or indorsement. If the application is for the renewal
8 of a vehicle group designation or indorsement, and if the secretary
9 of state enters on the person's driving record maintained under
10 section 204a a notation that the request was made and the date of
11 the request, the secretary of state is required to request the
12 applicant's complete driving record from other states only once
13 under this section. The secretary of state shall also check the
14 applicant's driving record with the National Driver Register and
15 the federal Commercial Driver's License Information System before
16 issuing that group designation or indorsement.

17 (9) Except for a vehicle group designation or indorsement or
18 as provided in this subsection or section 314(5), the secretary of
19 state may issue a renewal operator's or chauffeur's license for 1
20 additional 4-year period or until the person is no longer
21 determined to be legally present under this section by mail or by
22 other methods prescribed by the secretary of state. The secretary
23 of state may check the applicant's driving record through the
24 National Driver Register and the Commercial Driver's License
25 Information System before issuing a license under this section. The
26 secretary of state shall issue a renewal license only in person if
27 the person is a person required under section 5a of the sex
28 offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a
29 valid operator's or chauffeur's license or official state personal

1 identification card. If a license is renewed by mail or by other
2 method, the secretary of state shall issue evidence of renewal to
3 indicate the date the license expires in the future. The department
4 of state police shall provide to the secretary of state updated
5 lists of persons required under section 5a of the sex offenders
6 registration act, 1994 PA 295, MCL 28.725a, to maintain a valid
7 operator's or chauffeur's license or official state personal
8 identification card.

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

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

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

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

21 (c) To check an applicant's driving record through the
22 National Driver Register and the Commercial Driver's License
23 Information System when issuing a license under this act.

24 (d) With the department of health and human services, for
25 comparison with vital records maintained by the department of
26 health and human services under part 28 of the public health code,
27 1978 PA 368, MCL 333.2801 to 333.2899.

28 (e) As otherwise required by law.

29 (12) The secretary of state shall not display a person's

1 Social Security number on the person's operator's or chauffeur's
2 license.

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

7 (14) As required in section 10120 of the public health code,
8 1978 PA 368, MCL 333.10120, the secretary of state shall maintain
9 the donor registry in a manner that provides electronic access,
10 including, but not limited to, the transfer of data to this state's
11 federally designated organ procurement organization or its
12 successor organization, tissue banks, and eye banks, in a manner
13 that complies with that section.

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

21 (16) The secretary of state shall not issue an operator's
22 license or a chauffeur's license to a person holding an operator's
23 license or chauffeur's license issued by another state without
24 confirmation that the person is terminating or has terminated the
25 operator's license or chauffeur's license issued by the other
26 state.

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

28 (a) Ensure the physical security of locations where operator's
29 licenses and chauffeur's licenses are produced and the security of

1 document materials and papers from which operator's licenses and
 2 chauffeur's licenses are produced.

3 (b) Subject all persons authorized to manufacture or produce
 4 operator's licenses or chauffeur's licenses and all persons who
 5 have the ability to affect the identity information that appears on
 6 operator's licenses or chauffeur's licenses to appropriate security
 7 clearance requirements. The security requirements of this
 8 subdivision and subdivision (a) may require that licenses be
 9 manufactured or produced in this state.

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

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

17 Sec. 307a. For an operator or chauffeur license that contains
 18 a vehicle group designation, the secretary of state shall issue a
 19 license that contains the information required under this act and
 20 all of the following information:

21 (a) The name and **residence** address ~~of residence or, on~~
 22 **request, mailing address** of the licensee.

23 (b) Date of birth.

24 (c) Height and sex.

25 (d) Information required by the United States ~~department~~
 26 **Department** of ~~transportation~~ **Transportation** under 49 CFR 383.153.

27 (e) In accordance with federal regulations, the vehicle group
 28 designation and any indorsement or restriction of a commercial
 29 motor vehicle the licensee is authorized to operate.

1 (f) The name of this state.

2 (g) The expiration date of the license.

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

14 (2) The license issued under subsection (1) ~~shall~~**must** contain
15 all of the following:

16 (a) The distinguishing number permanently assigned to the
17 licensee.

18 (b) The full legal name, date of birth, **residence** address ~~of~~
19 ~~residence,~~**or, on request of the applicant, mailing address,**
20 height, eye color, sex, digital photographic image, expiration
21 date, and signature of the licensee.

22 (c) In the case of a licensee who has indicated his or her
23 wish to participate in the anatomical gift donor registry under
24 part 101 of the public health code, 1978 PA 368, MCL 333.10101 to
25 333.10123, a heart insignia on the front of the license.

26 (d) Physical security features designed to prevent tampering,
27 counterfeiting, or duplication of the license for fraudulent
28 purposes.

29 (e) If requested by an individual who is a veteran of the

1 armed forces of this state, another state, or the United States, a
2 designation that the individual is a veteran. The designation ~~shall~~
3 **must** be in a style and format considered appropriate by the
4 secretary of state. The secretary of state shall require proof of
5 discharge or separation of service from the armed forces of this
6 state, another state, or the United States, and the nature of that
7 discharge, for the purposes of verifying an individual's status as
8 a veteran under this subdivision. The secretary of state shall
9 consult with the department of military and veterans affairs in
10 determining the proof that shall be required to identify an
11 individual's status as a veteran for the purposes of this
12 subsection. The secretary of state may provide the department of
13 military and veterans affairs and agencies of the counties of this
14 state that provide veteran services with information provided by an
15 applicant under this subsection for the purpose of veterans'
16 benefits eligibility referral. As used in this subdivision,
17 "veteran" means that term as defined in section 1 of 1965 PA 190,
18 MCL 35.61.

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

23 (4) The license ~~shall~~ **must** not contain a fingerprint or finger
24 image of the licensee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (13) An operator or chauffeur may indicate on the license in a
20 place designated by the secretary of state his or her blood type,
21 emergency contact information, immunization data, medication data,
22 or a statement that the licensee is deaf. The secretary of state
23 shall not require an applicant for an original or renewal
24 operator's or chauffeur's license to provide emergency contact
25 information as a condition of obtaining a license. However, the
26 secretary of state may inquire whether an operator or chauffeur
27 would like to provide emergency contact information. Emergency
28 contact information obtained under this subsection shall be
29 disclosed only to a state or federal law enforcement agency for law

1 enforcement purposes or to the extent necessary for a medical
2 emergency. No later than January 1, 2017, the secretary of state
3 shall develop and shall, in conjunction with the department of
4 state police, implement a process using the L.E.I.N. or any other
5 appropriate system that limits access to law enforcement that would
6 allow law enforcement agencies of this state to access emergency
7 contact information that the holder of an operator's license has
8 voluntarily provided to the secretary of state. As used in this
9 subsection, "emergency contact information" means the name,
10 telephone number, or address of an individual that is used for the
11 sole purpose of contacting that individual when the holder of an
12 operator's license has been involved in an emergency.

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

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

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

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

1 but ~~shall~~**must** meet the specifications of the secretary of state.

2 An emergency medical information card may contain information
3 concerning the licensee's patient advocate designation, other
4 emergency medical information, or an indication as to where the
5 licensee has stored or registered emergency medical information.

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

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

19 (20) If an operator's or chauffeur's license is issued to an
20 individual described in section 307(1)(b) who has temporary lawful
21 status, the license ~~shall~~**must** be issued in compliance with 6 CFR
22 37.21 or in compliance with the process established to comply with
23 6 CFR 37.71 by the secretary of state. As used in this subsection,
24 "temporary lawful status" means that term as defined in 6 CFR 37.3.

25 Sec. 315. (1) An operator or chauffeur who changes his or her
26 residence before the expiration of a license granted under this
27 chapter shall immediately notify the secretary of state of his or
28 her new residence address. A change of address notification ~~shall~~
29 **must** be in a manner prescribed by the secretary of state and may

1 include notification by personally appearing at a branch office of
2 the secretary of state or other location designated by the
3 secretary of state, or a notification by mail, telephone,
4 electronically, by submitting a voter registration application
5 unless the person registers to vote in a city, village, or township
6 that prohibits the operation of motor vehicles by law or ordinance,
7 or by any other means prescribed by the secretary of state. ~~The~~
8 ~~secretary of state shall provide the person changing his or her~~
9 ~~residence address the notice required by section 307(1)(c) that,~~
10 ~~under sections 509o and 509r of the Michigan election law, 1954 PA~~
11 ~~116, MCL 168.509o and 168.509r, the secretary of state is required~~
12 ~~to use the residence address provided on this change of address~~
13 ~~application as the person's residence address on the qualified~~
14 ~~voter file for voter registration and voting. However, a~~ **A** person
15 may submit to the secretary of state a mailing address that is
16 different than his or her residence address.

17 (2) Upon receiving a change of address notification, the
18 secretary of state shall change the person's driver license record
19 to indicate the new residence address **or mailing address**. The
20 secretary of state shall provide the person with a new license or a
21 label or some other mechanism containing the new residence address
22 **or, if requested by the applicant, the new mailing address**. Upon
23 receipt of the label or other mechanism, the person shall affix the
24 label or mechanism to his or her operator's or chauffeur's license
25 as prescribed by the secretary of state. If the secretary of state
26 furnished the person with a new license, the person shall destroy
27 his or her old license and replace it with the new license.

28 (3) If a person fails to report a change of his or her
29 residence address as required under this section and subsequently

1 there is no response to a notice mailed to the residence address
2 shown by the record of the secretary of state or if the person has
3 provided the secretary of state a mailing address different from
4 his or her residence address and there is no response to a notice
5 mailed to that mailing address, the secretary of state may
6 immediately suspend or revoke his or her license. A person who
7 fails to report a change of his or her residence address is
8 responsible for a civil infraction.

9 (4) A person shall not knowingly report a change of **residence**
10 address to the secretary of state for himself or herself that is
11 not his or her residence address. A person shall not knowingly
12 report a change of address to the secretary of state for another
13 person without the consent of the other person. A person who is
14 convicted of a violation of this subsection is guilty of a
15 misdemeanor punishable by imprisonment for not more than 93 days or
16 a fine of \$1,000.00, or both. Upon receiving the abstract of a
17 conviction under this subsection, the secretary of state may
18 suspend the person's operator's or chauffeur's license for 6
19 months. The secretary of state shall not issue a restricted license
20 to the person during the suspension.

21 (5) Upon a second or subsequent conviction under subsection
22 (4), a person is guilty of a misdemeanor punishable by imprisonment
23 for not more than 93 days or a fine of \$5,000.00, or both. Upon
24 receiving the abstract of a second or subsequent conviction under
25 subsection (4), the secretary of state shall revoke the person's
26 operator's or chauffeur's license.

27 (6) The suspension or revocation of an operator's or
28 chauffeur's license under subsection (4) or (5) is not appealable
29 under section 323.

1 Enacting section 1. This amendatory act takes effect 90 days
2 after the date it is enacted into law.