

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 508

A bill to amend 2008 PA 23, entitled
"Enhanced driver license and enhanced official state personal
identification card act,"
by amending sections 4 and 6 (MCL 28.304 and 28.306), section 4 as
amended by 2020 PA 305 and section 6 as amended by 2020 PA 374.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The secretary of state may issue an enhanced
2 driver license or enhanced official state personal identification
3 card to an applicant who provides satisfactory proof of his or her
4 full legal name, United States citizenship, identity, date of
5 birth, Social Security number, residence address, and a
6 photographic identity document. Beginning ~~180 days after the~~
7 ~~effective date of the amendatory act that added this sentence,~~ **June**

1 27, 2021, if the applicant is a program participant in the address
2 confidentiality program under the address confidentiality program
3 act, 2020 PA 301, MCL 780.851 to 780.873, he or she shall present
4 to the secretary of state his or her participation card issued
5 under the address confidentiality program act, 2020 PA 301, MCL
6 780.851 to 780.873. An applicant may choose to apply for a standard
7 driver license or standard official state personal identification
8 card or an enhanced driver license or enhanced official state
9 personal identification card.

10 (2) An enhanced driver license or enhanced official state
11 personal identification card must include reasonable security
12 measures to protect against unauthorized disclosure of personal
13 information regarding residents of this state that is contained in
14 the enhanced driver license or enhanced official state personal
15 identification card.

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

29 (4) An enhanced driver license or enhanced official state

1 personal identification card that expires on or after March 1, 2020
 2 is considered valid until March 31, 2021. **An enhanced driver**
 3 **license or enhanced official state personal identification card**
 4 **that expires after March 31, 2021 but before August 1, 2021 is**
 5 **valid until 120 days after the date of the expiration.**

6 (5) The requirements of this act are in addition to the
 7 requirements otherwise imposed on individuals who apply for a
 8 standard driver license or standard official state personal
 9 identification card.

10 (6) The holder of an enhanced driver license issued under this
 11 act is subject to every licensing sanction provided under the
 12 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. As used
 13 in this subsection, "licensing sanction" means the restriction,
 14 suspension, revocation, or denial of a driver license; the addition
 15 of points to a driving record; until October 1, 2018, the
 16 assessment of a driver responsibility fee; the assessment of a
 17 civil fine or criminal penalty resulting from a conviction; a civil
 18 infraction determination; the imposition of probationary terms and
 19 conditions; or any other penalty provided under the Michigan
 20 vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

21 (7) Beginning ~~180 days after the effective date of the~~
 22 ~~amendatory act that added this subsection,~~ **June 27, 2021**, upon
 23 receipt of a notice from the department of the attorney general
 24 that an individual who has been issued an enhanced driver license
 25 or enhanced official state personal identification card under this
 26 act has been certified as a program participant in the address
 27 confidentiality program, the secretary of state shall issue a
 28 corrected enhanced driver license or enhanced official state
 29 personal identification card to that individual by mailing the

1 license or card to his or her designated address. Beginning ~~180~~
 2 ~~days after the effective date of the amendatory act that added this~~
 3 ~~subsection,~~ **June 27, 2021**, an enhanced driver license or enhanced
 4 official state personal identification card issued under this
 5 subsection or subsection (1) to a program participant must display
 6 the individual's designated address and must not display the
 7 individual's residence address. The requirements of this subsection
 8 are in addition to the requirements for individuals who are issued
 9 a corrected standard driver license under section 310f of the
 10 Michigan vehicle code, 1949 PA 300, MCL 257.310f, or a corrected
 11 official state personal identification card under section 2a of
 12 1972 PA 222, MCL 28.292a.

13 (8) As used in this section:

14 (a) "Address confidentiality program" means a program as that
 15 term is defined in section 3 of the address confidentiality program
 16 act, **2020 PA 301, MCL 780.853**.

17 (b) "Designated address" means that term as defined in section
 18 3 of the address confidentiality program act, **2020 PA 301, MCL**
 19 **780.853**.

20 (c) "Program participant" means that term as defined in
 21 section 3 of the address confidentiality program act, **2020 PA 301,**
 22 **MCL 780.853**.

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

26 (2) The renewal fee for an enhanced driver license or enhanced
 27 official state personal identification card renewed under this act
 28 must be not more than \$50.00. ~~However,~~ **Subject to subsection (9),**
 29 if an enhanced driver license or enhanced official state personal

1 identification card is expired at the time of renewal, the fee must
2 be the same as the fee provided under subsection (1). If the
3 secretary of state receives an application to renew an enhanced
4 driver license or enhanced official state personal identification
5 card that expires on or after March 1, 2020 before March 31, 2021,
6 the secretary of state shall process the application as a renewal
7 of an existing enhanced driver license or enhanced official state
8 personal identification card. **If the secretary of state receives an
9 application to renew an enhanced driver license or enhanced
10 official state personal identification card that expires after
11 March 31, 2021 but before August 1, 2021, the secretary of state
12 shall process the application as a renewal of an existing enhanced
13 driver license or enhanced official state personal identification
14 card until 120 days after the date of the expiration.**

15 (3) Money from fees collected under subsections (1) and (2)
16 must be deposited into the enhanced driver license and enhanced
17 official state personal identification card fund created in section
18 7 after distribution as follows:

19 (a) The secretary of state shall refund to each county or
20 municipality acting as an examining officer or examining bureau
21 \$2.50 for each applicant examined for an original enhanced driver
22 license, if the application is not denied and the money refunded is
23 paid to the county or local treasurer and is appropriated to the
24 county, municipality, or officer or bureau receiving the money for
25 the purpose of carrying out this act.

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

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

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

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

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

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

19 (c) Thirty dollars for an enhanced official state personal
20 identification card.

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

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

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

1 (8) ~~The~~ **Subject to subsection (9), the** secretary of state
2 shall not assess a late renewal fee for an enhanced driver license
3 or enhanced official state personal identification card that
4 expires on or after March 1, 2020 and is renewed before March 31,
5 2021. **Subject to subsection (9), both of the following apply:**

6 **(a) The secretary of state shall not assess a late renewal fee**
7 **for an enhanced driver license or enhanced official state personal**
8 **identification card that expires after March 31, 2021 but before**
9 **August 1, 2021 and is renewed within 120 days after the date of the**
10 **expiration.**

11 **(b) The secretary of state shall, upon an applicant's request,**
12 **reimburse a late renewal fee assessed and collected for an enhanced**
13 **driver license or enhanced official state personal identification**
14 **card that expires after March 31, 2021 but before August 1, 2021**
15 **and is renewed within 120 days after the date of the expiration of**
16 **the enhanced driver license or enhanced official state personal**
17 **identification card.**

18 **(9) Notwithstanding any other provision of this act, if on the**
19 **effective date of this amendatory act, the secretary of state does**
20 **not provide adequate in-person services, the secretary of state**
21 **shall not assess a late renewal fee under this act until the**
22 **secretary of state resumes providing adequate in-person services.**
23 **As used in this subsection, "adequate in-person services" means**
24 **providing in-person service options, without the requirement of an**
25 **advance appointment, on each day and at each location a secretary**
26 **of state branch office is open for services in this state. The in-**
27 **person services provided must allow for same-day transactions to be**
28 **completed.**

29 Enacting section 1. Sections 4(4) and 6(2) and (8) of the

1 enhanced driver license and enhanced official state personal
2 identification card act, 2008 PA 23, MCL 28.304 and 28.306, as
3 amended by this amendatory act, are intended to be retroactive and
4 apply retroactively.

5 Enacting section 2. This amendatory act does not take effect
6 unless all of the following bills of the 101st Legislature are
7 enacted into law:

8 (a) Senate Bill No. 507.

9 (b) Senate Bill No. 509.