

**SUBSTITUTE FOR
SENATE BILL NO. 507**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 1a, 216, 226, 255, 301, 306, 306a, 309, 312f,
312k, 314, and 801k (MCL 257.1a, 257.216, 257.226, 257.255,
257.301, 257.306, 257.306a, 257.309, 257.312f, 257.312k, 257.314,
and 257.801k), sections 216, 226, 255, 301, 306, 309, 312f, 312k,
314, and 801k as amended by 2020 PA 304 and section 306a as amended
by 2020 PA 376, and by adding section 205a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1a. **As used in this act:**
2 **(a)** "Accessory" means any accessory, equipment, additional
3 part or replacement part for a vehicle for which a certificate of
4 title is required to be issued under this act.

1 (b) "Adequate in-person services" means a minimum of 8 hours
2 of in-person services, without the requirement of an appointment,
3 on each day a secretary of state branch office is open for services
4 in this state.

5 Sec. 205a. Within 30 days after the effective date of the
6 amendatory act that added this section, the department shall
7 provide a written report to the senate majority leader, the speaker
8 of the house of representatives, and the chairpersons of the senate
9 and house of representatives appropriations committees detailing
10 the department's plan to reopen all secretary of state's branches
11 to the general public for in-person services, without the
12 requirement of an appointment. The written report must include, but
13 is not limited to, all of the following:

14 (a) The number of staff that will return to in-person work.

15 (b) The manner in which the department will transition
16 returning staff back to in-person work.

17 (c) The manner in which the department will notify members of
18 the public that secretary of state's branches are open for in-
19 person services, without the requirement of an appointment.

20 (d) How the department will prioritize customers who were
21 unable to renew essential documents beginning March 24, 2020, due
22 to the closing of the secretary of state's branches and appointment
23 only policy.

24 (e) The department's plans to ensure the safety of the staff
25 and customers in reopened secretary of state's branches.

26 (f) Details on hours of operation for reopened secretary of
27 state's branches.

28 (g) How the department will utilize the use of kiosks and
29 other automated services at reopened secretary of state's branches.

1 Sec. 216. (1) Every motor vehicle, recreational vehicle,
2 trailer, semitrailer, and pole trailer, when driven or moved on a
3 street or highway, is subject to the registration and certificate
4 of title provisions of this act except the following:

5 (a) A vehicle driven or moved on a street or highway in
6 conformance with the provisions of this act relating to
7 manufacturers, transporters, dealers, or nonresidents.

8 (b) A vehicle that is driven or moved on a street or highway
9 only for the purpose of crossing that street or highway from 1
10 property to another.

11 (c) An implement of husbandry.

12 (d) Special mobile equipment. The secretary of state may issue
13 a special registration to an individual, partnership, corporation,
14 or association not licensed as a dealer that pays the required fee,
15 to identify special mobile equipment that is driven or moved on a
16 street or highway.

17 (e) A vehicle that is propelled exclusively by electric power
18 obtained from overhead trolley wires though not operated on rails.

19 (f) Any vehicle subject to registration, but owned by the
20 government of the United States.

21 (g) A certificate of title is not required for a trailer,
22 semitrailer, or pole trailer that weighs less than 2,500 pounds.

23 (h) A vehicle driven or moved on a street or highway, by the
24 most direct route, only for the purpose of securing a scale weight
25 receipt from a weighmaster for purposes of section 801 or obtaining
26 a vehicle inspection by a law enforcement agency before titling or
27 registration of that vehicle.

28 (i) A certificate of title is not required for a vehicle owned
29 by a manufacturer or dealer and held for sale or lease, even though

1 incidentally moved on a street or highway or used for purposes of
2 testing or demonstration.

3 (j) A bus or a school bus that is not self-propelled and is
4 used exclusively as a construction shanty.

5 (k) A certificate of title is not required for a moped.

6 (l) Except as otherwise provided in subsection (3), for 3 days
7 immediately following the date of a properly assigned title or
8 signed lease agreement from any person other than a dealer, a
9 registration is not required for a vehicle driven or moved on a
10 street or highway for the sole purpose of transporting the vehicle
11 by the most direct route from the place of purchase or lease to a
12 place of storage if the driver has in his or her possession the
13 assigned title showing the date of sale or a lease agreement
14 showing the date of the lease.

15 (m) A certificate of registration is not required for a pickup
16 camper, but a certificate of title is required.

17 (n) A new motor vehicle driven or moved on a street or highway
18 only for the purpose of moving the vehicle from an accident site to
19 a storage location if the vehicle was being transported on a
20 railroad car or semitrailer that was involved in a disabling
21 accident.

22 (o) A boat lift used for transporting vessels between a marina
23 or a body of water and a place of inland storage.

24 (2) Except as otherwise provided in this subsection, a
25 registration issued to a motor vehicle, recreational vehicle,
26 trailer, semitrailer, or pole trailer, when driven or moved on a
27 street or highway, that expires on or after March 1, 2020 is valid
28 until ~~March 31,~~ **September 30**, 2021. If the registration issued to a
29 motor vehicle, recreational vehicle, trailer, semitrailer, or pole

1 trailer, when driven or moved on a street or highway, that is used
2 for commercial purposes expires on or after March 1, 2020, the
3 registration is valid until ~~March 31,~~ **September 30,** 2021.

4 (3) Notwithstanding any provision of law to the contrary,
5 until ~~March 31,~~ **September 30,** 2021, a properly assigned title or
6 signed lease agreement from any person other than a dealer is
7 considered proof of registration of the vehicle.

8 Sec. 226. (1) Except as otherwise provided in subsection (13),
9 a vehicle registration issued by the secretary of state expires on
10 the owner's birthday, unless another expiration date is provided
11 for under this act or unless the registration is for the following
12 vehicles, in which case registration expires on the last day of
13 February:

14 (a) A commercial vehicle except for a commercial vehicle
15 issued a registration under the international registration plan or
16 a pickup truck or van owned by an individual.

17 (b) Except for a trailer or semitrailer issued a registration
18 under the international registration plan, a trailer or semitrailer
19 owned by a business, corporation, or person other than an
20 individual; or a pole trailer.

21 (2) Except as otherwise provided in subsection (13), the
22 expiration date for a registration issued for a motorcycle is the
23 motorcycle owner's birthday.

24 (3) The expiration date for a registration bearing the letters
25 "SEN" or "REP" is February 1.

26 (4) In the case of a vehicle owned by a business, corporation,
27 or an owner other than an individual, the secretary of state may
28 assign or reassign the expiration date of the registration.

29 (5) The secretary of state shall do all of the following:

1 (a) After the October 1 immediately preceding the year
2 designated on the registration, issue a registration upon
3 application and payment of the proper fee for a commercial vehicle,
4 other than a pickup or van owned by an individual; or a trailer
5 owned by a business, corporation, or person other than an
6 individual.

7 (b) Beginning 60 days before the expiration date assigned on
8 an international registration plan registration plate, issue a
9 registration under section 801g upon application and payment of the
10 proper apportioned fee for a commercial vehicle engaged in
11 interstate commerce.

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

22 (6) Except as otherwise provided in this subsection, the
23 secretary of state, upon application and payment of the proper fee,
24 shall issue a registration for a vehicle or a motorcycle to a
25 resident that expires on the owner's birthday. If the owner's next
26 birthday is at least 6 months but not more than 12 months in the
27 future, the owner shall receive a registration valid until the
28 owner's next birthday. If the owner's next birthday is less than 6
29 months in the future, the owner shall receive a registration valid

1 until the owner's birthday following the owner's next birthday. The
2 tax required under this act for a registration described in this
3 subsection is either of the following:

4 (a) For an original registration, the tax must bear the same
5 relationship to the tax required under section 801 for a 12-month
6 registration as the length of the registration bears to 12 months.

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

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

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

12 Partial months must be considered as whole months in the
13 calculation of the required tax and in the determination of the
14 length of time between the application for a registration and the
15 owner's next birthday. The tax required for that registration must
16 be rounded off to whole dollars as provided in section 801.

17 (7) A certificate of title remains valid until canceled by the
18 secretary of state for cause or upon a transfer of an interest
19 shown on the certificate of title.

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

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

27 (a) A new vehicle purchased or leased outside of this state
28 and delivered in this state to the purchaser or lessee by the
29 manufacturer of that vehicle for removal to a place outside of this

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

5 (b) A vehicle purchased or leased in this state and delivered
6 to the purchaser or lessee by a dealer or by the owner of the
7 vehicle for removal to a place outside of this state, if a
8 certification is made that the vehicle will be primarily used,
9 stored, and registered outside of this state and will not be
10 returned to this state by the purchaser or lessee for use or
11 storage.

12 (10) A special registration issued under subsection (9) is
13 valid for not more than 30 days after the date of issuance, and a
14 fee must be collected for each special registration as provided in
15 section 802(3). The special registration may be in the form
16 determined by the secretary of state. If a dealer makes a retail
17 sale or lease of a vehicle to a purchaser or lessee who is
18 qualified and eligible to obtain a special registration, the dealer
19 shall apply for the special registration for the purchaser or
20 lessee. If a person other than a dealer sells or leases a vehicle
21 to a purchaser or lessee who is qualified and eligible to obtain a
22 special registration, the purchaser or lessee shall appear in
23 person, or by a person exercising the purchaser's or lessee's power
24 of attorney, at an office of the secretary of state and furnish a
25 certification that the person is the bona fide purchaser or lessee
26 or that the person has granted the power of attorney, together with
27 other forms required for the issuance of the special registration
28 and provide the secretary of state with proof that the vehicle is
29 covered by an automobile insurance policy issued under section 3101

1 of the insurance code of 1956, 1956 PA 218, MCL 500.3101, or proof
 2 that the vehicle is covered by a policy of insurance issued by an
 3 insurer under section 3163 of the insurance code of 1956, 1956 PA
 4 218, MCL 500.3163. The certification required in this subsection
 5 must contain all of the following:

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

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

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

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

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

14 (11) In the case of a commercial vehicle, trailer, or
 15 semitrailer issued a registration under the international
 16 registration plan, the secretary of state in mutual agreement with
 17 the owner may assign or reassign the expiration date of the
 18 registration. However, the expiration date agreed to must be either
 19 March 31, June 30, September 30, or December 31 or beginning on
 20 February 19, 2019, the last day of a calendar month. Renewals
 21 expiring on or after June 30, 2020 must be for a minimum of at
 22 least 12 months if there is a change in the established expiration
 23 date. Notwithstanding the provisions of this subsection, a
 24 commercial vehicle, trailer, or semitrailer registration issued
 25 under this subsection that expires on or after March 1, 2020 is
 26 valid until ~~March 31,~~ **September 30**, 2021.

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

1 (13) A vehicle registration described in subsection (1) or a
2 motorcycle registration described in subsection (2) that expires on
3 or after March 1, 2020 is valid until ~~March 31,~~ **September 30,** 2021.

4 Sec. 255. (1) Except as otherwise provided in this chapter, a
5 person shall not operate, nor shall an owner knowingly permit to be
6 operated, upon any highway, a vehicle required to be registered
7 under this act unless, except as otherwise provided in this
8 subsection, no later than 30 days after the vehicle is registered
9 or the vehicle's registration is renewed, a valid registration
10 plate issued for the vehicle by the department for the current
11 registration year is attached to and displayed on the vehicle as
12 required by this chapter. For purposes of this subsection, a
13 printed or electronic copy of a valid registration or verification
14 of a valid registration through the L.E.I.N. is proof that the
15 vehicle is registered or that the vehicle's registration has been
16 renewed. A registration plate is not required for a wrecked or
17 disabled vehicle, or vehicle destined for repair or junking, that
18 is being transported or drawn on a highway by a wrecker or a
19 registered motor vehicle. The 30-day period described in this
20 subsection does not apply to the first registration of a vehicle
21 after a transfer of ownership or to a transfer registration under
22 section 809.

23 (2) Except as otherwise provided in this section, a person who
24 violates subsection (1) is responsible for a civil infraction.
25 However, if the vehicle is a commercial vehicle that is required to
26 be registered according to the schedule of elected gross vehicle
27 weights under section 801(1)(k), the person is guilty of a
28 misdemeanor punishable by imprisonment for not more than 90 days or
29 a fine of not more than \$500.00, or both.

1 (3) A person who operates a vehicle licensed under the
2 international registration plan and does not have a valid
3 registration due to nonpayment of the apportioned fee is guilty of
4 a misdemeanor, punishable by imprisonment for not more than 90
5 days, or by a fine of not more than \$100.00, or both. In addition,
6 a police officer may impound the vehicle until a valid registration
7 is obtained. If the vehicle is impounded, the towing and storage
8 costs of the vehicle, and the care or preservation of the load in
9 the vehicle are the owner's responsibility. Vehicles impounded are
10 subject to a lien in the amount of the apportioned fee and any fine
11 and costs incurred under this subsection, subject to a valid lien
12 of prior record. If the apportioned fee, fine, and costs are not
13 paid within 90 days after impoundment, then following a hearing
14 before the judge or magistrate who imposed the fine and costs, the
15 judge or magistrate shall certify the unpaid judgment to the
16 prosecuting attorney of the county in which the violation occurred.
17 The prosecuting attorney shall enforce the lien by foreclosure sale
18 in accordance with the procedure authorized by law for chattel
19 mortgage foreclosures.

20 (4) A noncommercial vehicle registration described in
21 subsection (1) that expires on or after March 1, 2020 but is
22 renewed on or before ~~March 31,~~ **September 30**, 2021 is not in
23 violation of this section. A commercial vehicle registration
24 described in subsection (1) that expires on or after March 1, 2020
25 but is renewed on or before ~~March 31,~~ **September 30**, 2021 is not in
26 violation of this section.

27 Sec. 301. (1) Except as provided in this act, an individual
28 shall not drive a motor vehicle on a highway in this state unless
29 that individual has a valid operator's or chauffeur's license with

1 the appropriate group designation and indorsements for the type or
2 class of vehicle being driven or towed. A resident of this state
3 holding a commercial driver license group indorsement issued by
4 another state shall apply for a license transfer within 30 days
5 after establishing domicile in this state.

6 (2) An individual shall not receive a license to operate a
7 motor vehicle until that individual surrenders to the secretary of
8 state all valid licenses to operate a motor vehicle issued to that
9 individual by this or any state or certifies that he or she does
10 not possess a valid license. The secretary of state shall notify
11 the issuing state that the licensee is now licensed in this state.

12 (3) An individual shall not have more than 1 valid driver
13 license.

14 (4) An individual shall not drive a motor vehicle as a
15 chauffeur unless that individual holds a valid chauffeur's license.
16 An individual shall not receive a chauffeur's license until that
17 individual surrenders to the secretary of state a valid operator's
18 or chauffeur's license issued to that individual by this or any
19 state or certifies that he or she does not possess a valid license.

20 (5) An individual holding a valid chauffeur's license need not
21 procure an operator's license.

22 (6) An operator's or chauffeur's license that expires on or
23 after March 1, 2020 is valid until ~~March 31,~~ **September 30,** 2021.

24 Sec. 306. (1) The secretary of state, on receiving an
25 application for a temporary instruction permit from an individual
26 who is 18 years of age or older, may issue that permit that
27 entitles the applicant, while carrying the permit, to drive a motor
28 vehicle other than a motor vehicle requiring an indorsement under
29 section 312a or a vehicle group designation under section 312e on

1 the highways for a period of 180 days when accompanied by a
2 licensed adult operator or chauffeur who is actually occupying a
3 seat beside the driver. A temporary instruction permit issued under
4 this subsection that expires on or after March 1, 2020 is valid
5 until ~~March 31,~~ **September 30**, 2021.

6 (2) The secretary of state may issue an original operator's
7 license and designate level 1, 2, or 3 graduated licensing
8 provisions to an individual who is less than 18 years of age, has
9 been licensed in another state or country, and has satisfied the
10 applicable requirements of section 310e. An original operator's
11 license with a designated level 1, 2, or 3 graduated licensing
12 provision issued under this subsection that expires on or after
13 March 1, 2020 is valid until ~~March 31,~~ **September 30**, 2021.

14 (3) A student enrolled in a driver education course as that
15 term is defined in section 3 of the driver education provider and
16 instructor act, 2006 PA 384, MCL 256.623, or a motorcycle safety
17 course approved by the department of state may operate a motor
18 vehicle that does not require a group designation under section
19 312e without holding an operator's license or permit while under
20 the direct supervision of the program instructor.

21 (4) A student enrolled in a driver education course as that
22 term is defined in section 3 of the driver education provider and
23 instructor act, 2006 PA 384, MCL 256.623, and who has successfully
24 completed 10 hours of classroom instruction and the equivalent of 2
25 hours of behind-the-wheel training may be issued a temporary driver
26 education certificate furnished by the department of state that
27 authorizes a student to drive a motor vehicle, other than a motor
28 vehicle that requires an indorsement under section 312a or a
29 vehicle group designation under section 312e, when accompanied by a

1 licensed parent or guardian, or when accompanied by a nonlicensed
2 parent or guardian and a licensed adult for the purpose of
3 receiving additional instruction until the end of the student's
4 driver education course. A temporary driver education certificate
5 issued under this subsection that expires on or after March 1, 2020
6 is valid until ~~March 31,~~ **September 30**, 2021.

7 (5) Beginning January 1, 2015, the secretary of state, on
8 receiving proper application from an individual 16 or 17 years of
9 age who is enrolled in or has successfully completed an approved
10 motorcycle safety course under section 811a, or an individual who
11 is 18 years of age or older and who holds a valid operator's or
12 chauffeur's license, may issue a motorcycle temporary instruction
13 permit that entitles the applicant, while carrying the permit, to
14 operate a motorcycle on the public streets and highways for a
15 period of 180 days under the following conditions:

16 (a) The applicant shall operate the motorcycle under the
17 constant visual supervision of a licensed motorcycle operator who
18 is at least 18 years of age.

19 (b) The applicant shall not operate the motorcycle at night.

20 (c) The applicant shall not operate the motorcycle with a
21 passenger.

22 (d) The applicant shall not be eligible for more than 2
23 motorcycle temporary instruction permits in a 10-year period.

24 (6) A motorcycle temporary instruction permit issued under
25 subsection (5) that expires on or after March 1, 2020 is valid
26 until ~~March 31,~~ **September 30**, 2021.

27 Sec. 306a. (1) The secretary of state may issue a commercial
28 learner's permit that entitles an individual to drive a vehicle
29 requiring a vehicle group designation or indorsement under section

1 312e if all of the following apply:

2 (a) The individual submits a proper application and meets the
3 requirements of 49 CFR part 383.

4 (b) The individual is 18 years of age or older.

5 (c) The individual holds a valid operator's or chauffeur's
6 license that is not a restricted license.

7 (d) The individual passes the knowledge tests for an original
8 vehicle group designation or indorsement, as required by 49 CFR
9 part 383.

10 (e) If the individual is applying for a hazardous materials
11 endorsement, he or she has been approved for the hazardous
12 materials endorsement by the Federal Transportation Security
13 Administration.

14 (2) An individual issued a commercial learner's permit under
15 subsection (1), or an equivalent commercial learner's permit issued
16 by another jurisdiction, may operate a vehicle requiring a vehicle
17 group designation or indorsement under section 312e, if all of the
18 following apply:

19 (a) The individual has the permit and a valid operator's or
20 chauffeur's license in his or her possession while operating the
21 vehicle.

22 (b) The individual is accompanied by an instructor certified
23 under the driver education provider and instructor act, 2006 PA
24 384, MCL 256.621 to 256.705, or an adult with a valid operator's or
25 chauffeur's license, and all of the following apply:

26 (i) The instructor or licensed adult has in his or her
27 possession a valid license with a vehicle group designation and any
28 indorsement necessary to operate the vehicle as provided in section
29 312e.

(ii) The instructor or licensed adult is at all times physically present in the front seat of the vehicle next to the operator or, in the case of a passenger vehicle, directly behind the operator or in the first row behind the operator.

(iii) The instructor or licensed adult has the operator under observation and direct supervision.

(c) The individual shall not operate a vehicle transporting hazardous materials as defined in 49 CFR part 383.

(d) If the individual has a permit to operate a tank vehicle, the individual may only operate an empty tank vehicle and shall not operate any tank vehicle that previously contained hazardous materials unless the tank has been purged of all hazardous material residue.

(e) If the individual has a permit to operate a vehicle designed to carry 16 or more passengers or a school bus, the individual shall not operate a vehicle designed to carry 16 or more passengers or a school bus with any passengers other than the following individuals:

(i) The instructor or licensed adult described in this section.

(ii) Federal or state auditors or inspectors.

(iii) Test examiners.

(iv) Other trainees.

(3) ~~A~~**Beginning October 1, 2021, a** commercial learner's permit issued under this section is valid for 1 year from the date of issuance.

(4) Notwithstanding subsection (3), a commercial learner's permit issued under this section that expires on or after March 1, 2020 is valid until ~~March 31,~~**September 30, 2021.**

Sec. 309. (1) Before issuing a license, the secretary of state

1 shall examine each applicant for an operator's or chauffeur's
2 license who at the time of the application is not the holder of a
3 valid, unrevoked operator's or chauffeur's license under a law of
4 this state providing for the licensing of drivers. Before the
5 secretary of state authorizes an individual to administer vehicle
6 group designation or endorsement knowledge tests, that individual
7 must successfully complete both a state and Federal Bureau of
8 Investigation fingerprint-based criminal history check or the
9 equivalent through the department of state police. In all other
10 cases, the secretary of state may waive the examination, except
11 that an examination must not be waived if it appears from the
12 application, from the apparent physical or mental condition of the
13 applicant, or from any other information that has come to the
14 secretary of state from another source, that the applicant does not
15 possess the physical, mental, or other qualifications necessary to
16 operate a motor vehicle in a manner as not to jeopardize the safety
17 of persons or property, or that the applicant is not entitled to a
18 license under section 303. A licensee who applies for the renewal
19 of his or her license by mail under section 307 shall certify to
20 his or her physical capability to operate a motor vehicle. The
21 secretary of state may check the applicant's driving record through
22 the National Driver Register and the Commercial Driver's License
23 Information System before issuing a license under this section.

24 (2) The secretary of state may appoint sheriffs, their
25 deputies, the chiefs of police of cities and villages that have
26 organized police departments within this state, their duly
27 authorized representatives, or employees of the secretary of state
28 as examining officers for the purpose of examining applicants for
29 operator's and chauffeur's licenses. An examining officer shall

1 conduct examinations of applicants for operator's and chauffeur's
2 licenses in accordance with this chapter and the rules promulgated
3 by the secretary of state under subsection (3). After conducting an
4 examination an examining officer shall make a written report of his
5 or her findings and recommendations to the secretary of state.

6 (3) The secretary of state shall promulgate rules under the
7 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
8 24.328, for the examination of the applicant's physical and mental
9 qualifications to operate a motor vehicle in a manner as not to
10 jeopardize the safety of persons or property, and shall ascertain
11 whether facts exist that would bar the issuance of a license under
12 section 303. The secretary of state may consider a written medical
13 report and recommendation submitted under section 5139 of the
14 public health code, 1978 PA 368, MCL 333.5139, from the personal
15 physician or optometrist of an applicant, in making the examination
16 regarding the applicant's physical and mental qualifications to
17 operate a motor vehicle under this section and R 257.851 to R
18 257.855 of the Michigan Administrative Code. A report received by
19 the secretary of state from a physician or an optometrist under
20 this section is confidential. The secretary of state shall also
21 ascertain whether the applicant has sufficient knowledge of the
22 English language to understand highway warnings or direction signs
23 written in that language. The examination must not include
24 investigation of facts other than those facts directly pertaining
25 to the ability of the applicant to operate a motor vehicle with
26 safety or facts declared to be prerequisite to the issuance of a
27 license under this act.

28 (4) The secretary of state shall not issue an original
29 operator's or chauffeur's license without a vehicle group

1 designation or indorsement without an examination that includes a
2 driving skills test conducted by the secretary of state or by a
3 designated examining officer under subsection (2) or section 310e.
4 The secretary of state may enter into an agreement with another
5 public or private corporation or agency to conduct a driving skills
6 test conducted under this section. Before the secretary of state
7 authorizes an individual to administer a corporation's or agency's
8 driver skills testing operations or authorizes an examiner to
9 conduct a driving skills test, that individual or examiner must
10 successfully complete both a state and Federal Bureau of
11 Investigation fingerprint-based criminal history check through the
12 department of state police as required by law and as provided under
13 49 CFR 384.228. In an agreement with another public or private
14 corporation or agency to conduct a driving skills test, the
15 secretary of state shall prescribe the method and examination
16 criteria to be followed by the corporation, agency, or examiner
17 when conducting the driving skills test and the form of the
18 certification to be issued to an individual who satisfactorily
19 completes a driving skills test. An original vehicle group
20 designation or indorsement shall not be issued by the secretary of
21 state without a knowledge test conducted by the secretary of state.
22 Except as provided in section 312f(1), an original vehicle group
23 designation or passenger or school bus indorsement must not be
24 issued by the secretary of state without a driving skills test
25 conducted by an examiner appointed or authorized by the secretary
26 of state or an equivalent driving skills test meeting the
27 requirements of 49 CFR part 383 conducted in another jurisdiction.

28 (5) Except as otherwise provided in this act, the secretary of
29 state may waive the requirement of a driving skills test, knowledge

1 test, or road sign test of an applicant for an original operator's
2 or chauffeur's license without a vehicle group designation or
3 indorsement who at the time of the application is the holder of a
4 valid, unrevoked operator's or chauffeur's license issued by
5 another state or country.

6 (6) A driving skills test conducted under this section must
7 include a behind-the-wheel road test. Before conducting a behind-
8 the-wheel road test for an applicant seeking a vehicle group
9 designation, including any upgrade to a vehicle group designation,
10 or for any indorsement required to operate a commercial motor
11 vehicle, the examiner shall determine that the applicant was issued
12 his or her commercial learner's permit not less than 14 days before
13 the date of that test and that he or she has that permit in his or
14 her possession.

15 (7) A person who corrupts or attempts to corrupt a designated
16 examining officer appointed or designated by the secretary of state
17 under this section or section 310e by giving, offering, or
18 promising any gift or gratuity with the intent to influence the
19 opinion or decision of the examining officer conducting the test is
20 guilty of a felony.

21 (8) A designated examining officer appointed or designated by
22 the secretary of state who conducts a driving skills test under an
23 agreement entered into under this section or section 310e and who
24 varies from, shortens, or in any other way changes the method or
25 examination criteria prescribed in that agreement in conducting a
26 driving skills test is guilty of a felony.

27 (9) A person who forges, counterfeits, or alters a
28 satisfactorily completed driving skills test certification issued
29 by a designated examining officer appointed or designated by the

1 secretary of state under this section or section 310e is guilty of
2 a felony.

3 (10) The secretary of state shall waive the requirement of a
4 written knowledge test, road sign test, and driving skills test of
5 an applicant for an original motorcycle endorsement if the person
6 has successfully passed a motorcycle safety course approved by the
7 department as described in sections 811a and 811b.

8 (11) An operator's or chauffeur's license that expires on or
9 after March 1, 2020 is valid until ~~March 31,~~ **September 30,** 2021.

10 Sec. 312f. (1) Except as otherwise provided in this section,
11 an individual shall be not less than 18 years of age before he or
12 she is issued a vehicle group designation or indorsement, other
13 than a motorcycle indorsement, or not less than 21 years of age and
14 has been approved by the Transportation Security Administration for
15 a hazardous material endorsement before he or she is issued a
16 hazardous material endorsement on an operator's or chauffeur's
17 license and, as provided in this section, the individual shall pass
18 knowledge and driving skills tests that comply with minimum federal
19 standards prescribed in 49 CFR part 383. The knowledge and skills
20 test scores must be retained by the secretary of state as provided
21 under 49 CFR 383.135. An individual who is 18 years of age or older
22 operating a vehicle to be used for farming purposes only may obtain
23 an A or B vehicle group designation or an F vehicle indorsement.
24 Each written examination given an applicant for a vehicle group
25 designation or indorsement must include subjects designed to cover
26 the type or general class of vehicle to be operated. Except as
27 follows, an individual shall pass an examination that includes a
28 driving skills test designed to test competency of the applicant
29 for an original vehicle group designation and passenger indorsement

1 on an operator's or chauffeur's license to drive that type or
2 general class of vehicle upon the highways of this state with
3 safety to persons and property:

4 (a) The secretary of state shall waive the driving skills test
5 for an individual operating a vehicle that is used under the
6 conditions described in section 312e(8)(a) to (d) unless the
7 vehicle has a gross vehicle weight rating of 26,001 pounds or more
8 on the power unit and is to be used to carry hazardous materials on
9 which a placard is required under 49 CFR parts 100 to 199.

10 (b) The driving skills test may be waived if the applicant has
11 a valid license with the appropriate vehicle group designation,
12 passenger vehicle indorsement, or school bus indorsement in another
13 state issued in compliance with 49 USC 31301 to 31317, or if the
14 individual successfully passes a driving skills test administered
15 in another state that meets the requirements of federal law and the
16 law of this state.

17 (c) The secretary of state may waive the driving skills test
18 required under this section for an individual with military
19 commercial motor vehicle experience if the individual, at the time
20 of application, certifies and provides evidence satisfactory to the
21 secretary of state that he or she continuously met all of the
22 requirements under 49 CFR part 383 during the 2-year period
23 immediately preceding the date of application for the commercial
24 driver license.

25 (2) Except for an individual who has held an operator's or
26 chauffeur's license for less than 1 year, the secretary of state
27 shall waive the knowledge test and the driving skills test and
28 issue a 1-year seasonal restricted vehicle group designation to an
29 otherwise qualified applicant to operate a group B or a group C

1 vehicle for a farm related service industry if all of the following
2 conditions are met:

3 (a) The applicant meets the requirements of 49 CFR 383.77.

4 (b) The seasons for which the seasonal restricted vehicle
5 group designation is issued are from April 2 to June 30 and from
6 September 2 to November 30 only of a 12-month period or, at the
7 option of the applicant, for not more than 180 days from the date
8 of issuance in a 12-month period.

9 (c) The commercial motor vehicle for which the seasonal
10 restricted vehicle group designation is issued must be operated
11 only if all the following conditions are met:

12 (i) The commercial motor vehicle is operated only on routes
13 within 150 miles from the place of business to the farm or farms
14 being served.

15 (ii) The commercial motor vehicle does not transport a quantity
16 of hazardous materials on which a placard under 49 CFR parts 100 to
17 199 is required except for the following:

18 (A) Diesel motor fuel in quantities of 1,000 gallons or less.

19 (B) Liquid fertilizers in quantities of 3,000 gallons or less.

20 (C) Solid fertilizers that are not transported with any
21 organic substance.

22 (iii) The commercial motor vehicle does not require the H, N, P,
23 S, T, or X vehicle indorsement.

24 (3) A seasonal restricted vehicle group designation under this
25 section must be issued, suspended, revoked, canceled, denied, or
26 renewed in accordance with this act. The secretary of state may
27 renew a seasonal restricted vehicle group designation 1 time per
28 calendar year regardless of whether the seasonal restricted vehicle
29 group designation is expired at the time of renewal.

1 (4) The secretary of state may enter into an agreement with
2 another public or private corporation or agency to conduct a
3 driving skills test required under this section, section 312e, or
4 49 CFR part 383. Before the secretary of state authorizes an
5 individual to administer a corporation's or agency's driver skills
6 testing operations or authorizes an examiner to conduct a driving
7 skills test, that individual or examiner must complete both a state
8 and Federal Bureau of Investigation fingerprint-based criminal
9 history check through the department of state police.

10 (5) The secretary of state shall not issue a commercial
11 learner's permit, a vehicle group designation, or a vehicle
12 indorsement to an applicant for an original vehicle group
13 designation or vehicle indorsement under section 312e or may cancel
14 a commercial learner's permit or all vehicle group designations or
15 endorsements on an individual's operator's or chauffeur's license
16 to whom 1 or more of the following apply:

17 (a) The applicant has had his or her license suspended or
18 revoked for a reason other than as provided in section 321a, 515,
19 732a, or 801c or section 30 of the support and parenting time
20 enforcement act, 1982 PA 295, MCL 552.630, in the 36 months
21 immediately preceding application. However, a vehicle group
22 designation may be issued if the suspension or revocation was due
23 to a temporary medical condition or failure to appear at a
24 reexamination as provided in section 320.

25 (b) The applicant was convicted of or incurred a bond
26 forfeiture in relation to a 6-point violation as provided in
27 section 320a in the 24 months immediately preceding application if
28 the violation occurred while the applicant was operating a
29 commercial motor vehicle, or a violation of section 625(3) or

1 former section 625b, or a local ordinance that substantially
2 corresponds to section 625(3) or former section 625b in the 24
3 months immediately preceding application, if the applicant was
4 operating any type of motor vehicle.

5 (c) The applicant is listed on the National Driver Register,
6 the Commercial Driver's License Information System, or the driving
7 records of the state in which the applicant was previously licensed
8 as being disqualified from operating a commercial motor vehicle or
9 as having a license or driving privilege suspended, revoked,
10 canceled, or denied.

11 (d) The applicant is listed on the National Driver Register,
12 the Commercial Driver's License Information System, or the driving
13 records of the state in which the applicant was previously licensed
14 as having had a license suspended, revoked, or canceled in the 36
15 months immediately preceding application if a suspension or
16 revocation would have been imposed under this act had the applicant
17 been licensed in this state in the original instance. This
18 subdivision does not apply to a suspension or revocation that would
19 have been imposed due to a temporary medical condition or under
20 section 321a, 515, 732a, or 801c or section 30 of the support and
21 parenting time enforcement act, 1982 PA 295, MCL 552.630.

22 (e) The applicant is subject to a suspension or revocation
23 under section 319b or would have been subject to a suspension or
24 revocation under section 319b if the applicant had been issued a
25 vehicle group designation or vehicle indorsement.

26 (f) The applicant has been disqualified from operating a
27 commercial motor vehicle under 49 USC 31301 to 31317 or the
28 applicant's license to operate a commercial motor vehicle has been
29 suspended, revoked, denied, or canceled within 36 months

1 immediately preceding the date of application.

2 (g) The United States Secretary of Transportation has
3 disqualified the applicant from operating a commercial motor
4 vehicle.

5 (h) The applicant fails to satisfy the federal regulations
6 promulgated under 49 CFR parts 383 and 391 by refusing to certify
7 the type of commercial motor vehicle operation the applicant
8 intends to perform and fails to present valid medical certification
9 to the secretary of state if required to do so. The requirement of
10 this subdivision is waived from July 1, 2020 to ~~December 31, 2020~~
11 **August 31, 2021**, pursuant to the Waiver in Response to the COVID-19
12 National Emergency - For States, CDL Holders, CLP Holders, and
13 Interstate Drivers Operating Commercial Motor Vehicles, or any
14 extension of that waiver issued after ~~December 31, 2020~~. **August 31,**
15 **2021.**

16 (i) The applicant has been disqualified from operating a
17 commercial motor vehicle due to improper or fraudulent testing.

18 (j) If the secretary of state determines through a
19 governmental investigation that there is reason to believe that a
20 commercial driver license or endorsement was issued as a result of
21 fraudulent or improper conduct in taking a knowledge test or
22 driving skills test required under 49 CFR part 383, the secretary
23 of state shall require the applicant to retake and successfully
24 pass that test. The secretary of state shall cancel any commercial
25 driver license or endorsement issued as a result of the suspect
26 test unless the applicant retakes and passes that test.

27 (6) The secretary of state shall not renew or upgrade a
28 vehicle group designation if 1 or more of the following conditions
29 exist:

1 (a) The United States Secretary of Transportation has
2 disqualified the applicant from operating a commercial motor
3 vehicle.

4 (b) The applicant is listed on the National Driver Register or
5 the Commercial Driver's License Information System as being
6 disqualified from operating a commercial motor vehicle or as having
7 a driver license or driving privilege suspended, revoked, canceled,
8 or denied.

9 (c) On or after January 30, 2012, the applicant fails to meet
10 the requirements of 49 CFR parts 383 and 391 by refusing to certify
11 the type of commercial motor vehicle operation the applicant
12 intends to perform and fails to present medical certification to
13 the secretary of state if required to do so. The requirement of
14 this subdivision is waived from July 1, 2020 to ~~December 31, 2020,~~
15 **August 31, 2021**, pursuant to the Waiver in Response to the COVID-19
16 National Emergency - For States, CDL Holders, CLP Holders, and
17 Interstate Drivers Operating Commercial Motor Vehicles, **or any**
18 **extension of that waiver issued after August 31, 2021.**

19 (7) The secretary of state shall only consider bond
20 forfeitures under subsection (5)(b) for violations that occurred on
21 or after January 1, 1990 when determining the applicability of
22 subsection (5).

23 (8) If an applicant for an original vehicle group designation
24 was previously licensed in another jurisdiction, the secretary of
25 state shall request a copy of the applicant's driving record from
26 that jurisdiction. If 1 or more of the conditions described in
27 subsection (5) exist in that jurisdiction when the secretary of
28 state receives the copy, the secretary of state shall cancel all
29 vehicle group designations on the individual's operator's or

1 chauffeur's license.

2 (9) The secretary of state shall cancel all vehicle group
3 designations on an individual's operator's or chauffeur's license
4 upon receiving notice from the United States Secretary of
5 Transportation, the National Driver Register, the Commercial
6 Driver's License Information System, or another state or
7 jurisdiction that 1 or more of the conditions described in
8 subsection (5) existed at the time of the individual's application
9 in this state.

10 (10) The secretary of state shall cancel all vehicle group
11 designations on the individual's operator's or chauffeur's license
12 upon receiving proper notice that the individual no longer meets
13 the federal driver qualification requirements under 49 CFR parts
14 383 and 391 to operate a commercial motor vehicle in interstate or
15 intrastate commerce, or the individual no longer meets the driver
16 qualification requirements to operate a commercial motor vehicle in
17 intrastate commerce under the motor carrier safety act of 1963,
18 1963 PA 181, MCL 480.11 to 480.25.

19 (11) Subsection (5) (a), (b), (d), and (f) does not apply to an
20 applicant for an original vehicle group designation who at the time
21 of application has a valid license to operate a commercial motor
22 vehicle issued by any state in compliance with 49 USC 31301 to
23 31317.

24 (12) As used in this section, "farm related service industry"
25 means custom harvesters, farm retail outlets and suppliers, agri-
26 chemical business, or livestock feeders.

27 Sec. 312k. (1) Notwithstanding any other provisions in this
28 act, all of the following apply:

29 (a) A commercial driver license that expires on or after March

1, 2020 is valid until ~~March 31,~~ **September 30,** 2021.

(b) Medical certification for operator's or chauffeur's license holders with a group designation required under 49 CFR 391.45 that expires on or after March 1, 2020 is valid until ~~March 31,~~ **September 30,** 2021. This subdivision does not apply to either of the following:

(i) A medical certification for operator's or chauffeur's license holders with a group designation required under 49 CFR 391.45 that was not valid before March 1, 2020.

(ii) An individual issued a medical certification for operator's or chauffeur's license holders with a group designation required under 49 CFR 391.45 who, since his or her last medical certificate was issued, has been diagnosed with a medical condition that would disqualify the individual from operating in interstate commerce, or who, since his or her last medical certificate was issued, has developed a condition that requires an exemption or Skill Performance Evaluation from the Federal Motor Carrier Safety Administration.

(c) Hazardous material endorsements that expire on or after March 1, 2020 are valid until October 29, 2020. A security threat assessment required under 49 CFR 1572.13(a) that is valid on or after March 1, 2020 is valid until October 29, 2020. An individual with a hazardous material endorsement that is extended for 180 days under this subdivision must initiate a security threat assessment with the National Highway Traffic Safety Administration at least 60 days before the expiration of the hazardous material endorsement.

(2) This section does not affect the secretary of state's authority to revoke or suspend an operator's or chauffeur's license or a group designation or indorsement under this act.

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

16 (2) The first operator's license issued to an individual who
17 at the time of application is less than 20-1/2 years of age expires
18 on the licensee's twenty-first birthday or on the date the
19 individual is no longer considered to be legally present in the
20 United States under section 307, whichever is earlier, unless
21 suspended or revoked.

22 (3) The first chauffeur's license issued to an individual
23 expires on the licensee's birthday in the fourth year following the
24 date of issuance or on the date the individual is no longer
25 considered to be legally present in the United States under section
26 307, whichever is earlier, unless the license is suspended or
27 revoked before that date. The chauffeur's license of an individual
28 who at the time of application is less than 20-1/2 years of age
29 expires on the licensee's twenty-first birthday or on the date the

1 individual is no longer considered to be legally present in the
2 United States under section 307, whichever is earlier, unless
3 suspended or revoked. A subsequent chauffeur's license expires on
4 the birthday of the individual to whom the license is issued in the
5 fourth year following the date of issuance of the license or on the
6 date the individual is no longer considered to be legally present
7 in the United States under section 307, whichever is earlier,
8 unless the license is suspended or revoked before that date.

9 (4) An individual may apply for an extension of his or her
10 driving privileges if he or she is out of state on the date that
11 his or her operator's or chauffeur's license expires. The extension
12 may extend the license for 180 days beyond the expiration date or
13 not more than 2 weeks after the applicant returns to Michigan,
14 whichever occurs first. This subsection does not apply to an
15 individual who fails to meet the requirements of 49 CFR parts 383
16 and 391 with regard to medical certification documentation
17 requirements.

18 (5) The secretary of state may issue a renewal operator's or
19 chauffeur's license to an individual who will be out of state for
20 more than 180 days beyond the expiration date of his or her
21 operator's or chauffeur's license, if the secretary of state has a
22 digital image of the individual on file. The applicant for this
23 renewal shall submit a statement evidencing a vision examination in
24 accordance with the rules promulgated by the secretary of state
25 under section 309 and any other statement required by this act or
26 federal law. An individual is not eligible for consecutive renewals
27 of a license under this subsection. This subsection does not apply
28 to an individual who fails to meet the requirements of 49 CFR parts
29 383 and 391 with regard to medical certification documentation

1 requirements, or an individual with a hazardous material
2 endorsement on his or her operator's or chauffeur's license.

3 (6) The secretary of state may check the applicant's driving
4 record through the National Driver Register and the Commercial
5 Driver's License Information System before issuing a renewal under
6 this section.

7 (7) Notwithstanding the provisions of this section, an
8 operator's or chauffeur's license that expires on or after March 1,
9 2020 is valid until ~~March 31,~~ **September 30**, 2021.

10 Sec. 801k. **(1)** Notwithstanding any other provisions in this
11 chapter **and subject to subsection (2)**, late fees must not be
12 assessed on the following vehicles:

13 (a) A vehicle registered under section 801(1)(j) or (k) or
14 section 801g whose registration expires on or after March 1, 2020
15 and whose registration is renewed before ~~March 31,~~ **September 30**,
16 2021.

17 (b) All other vehicles registered under this chapter whose
18 registration expires on or after March 1, 2020 and whose
19 registration is renewed before ~~March 31,~~ **September 30**, 2021.

20 **(2) Notwithstanding any other provision of this chapter, if,**
21 **on the effective date of the amendatory act that added this**
22 **subsection, the secretary of state does not provide adequate in-**
23 **person services, the secretary of state shall not assess a late**
24 **renewal fee under this chapter until the secretary of state resumes**
25 **providing adequate in-person services.**

26 Enacting section 1. Sections 216(2) and (3), 226(11) and (13),
27 255(4), 301(6), 306(1), (2), (4), and (6), 306a(4), 309(11),
28 312k(1), 314(7), and 801k(1) of the Michigan vehicle code, 1949 PA
29 300, MCL 257.216, 257.226, 257.255, 257.301, 257.306, 257.306a,

1 257.309, 257.312k, 257.314, and 257.801k, as amended by this
2 amendatory act, are intended to be retroactive and apply
3 retroactively from April 1, 2021.

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

7 (a) Senate Bill No. 508.

8 (b) Senate Bill No. 509.