

SENATE BILL NO. 508

June 03, 2021, Introduced by Senators JOHNSON, DALEY and VANDERWALL and referred to the Committee of the Whole.

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

1 full legal name, United States citizenship, identity, date of
2 birth, Social Security number, residence address, and a
3 photographic identity document. Beginning ~~180 days after the~~
4 ~~effective date of the amendatory act that added this sentence,~~ **June**
5 **27, 2021**, if the applicant is a program participant in the address
6 confidentiality program under the address confidentiality program
7 act, **2020 PA 301, MCL 780.851 to 780.873**, he or she shall present
8 to the secretary of state his or her participation card issued
9 under the address confidentiality program act, **2020 PA 301, MCL**
10 **780.851 to 780.873**. An applicant may choose to apply for a standard
11 driver license or standard official state personal identification
12 card or an enhanced driver license or enhanced official state
13 personal identification card.

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

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

1 radio frequency identification technology before he or she is
2 issued an enhanced driver license or enhanced official state
3 personal identification card.

4 (4) An enhanced driver license or enhanced official state
5 personal identification card that expires on or after March 1, 2020
6 is considered valid until ~~March 31,~~ **September 30, 2021.**

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

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

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

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

(8) As used in this section:

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

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

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

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

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

1 if an enhanced driver license or enhanced official state personal
2 identification card is expired at the time of renewal, the fee must
3 be the same as the fee provided under subsection (1). If the
4 secretary of state receives an application to renew an enhanced
5 driver license or enhanced official state personal identification
6 card that expires on or after March 1, 2020 before ~~March 31,~~
7 **September 30**, 2021, the secretary of state shall process the
8 application as a renewal of an existing enhanced driver license or
9 enhanced official state personal identification card.

10 (3) Money from fees collected under subsections (1) and (2)
11 must be deposited into the enhanced driver license and enhanced
12 official state personal identification card fund created in section
13 7 after distribution as follows:

14 (a) The secretary of state shall refund to each county or
15 municipality acting as an examining officer or examining bureau
16 \$2.50 for each applicant examined for an original enhanced driver
17 license, if the application is not denied and the money refunded is
18 paid to the county or local treasurer and is appropriated to the
19 county, municipality, or officer or bureau receiving the money for
20 the purpose of carrying out this act.

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

25 (c) Four dollars and 50 cents of an original enhanced driver
26 license and \$6.00 of a renewal enhanced driver license must be
27 appropriated to the transportation economic development fund
28 established in section 2 of 1987 PA 231, MCL 247.902, and must not
29 be appropriated for any other purpose in any act making

1 appropriations of state funds.

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

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

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

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

14 (c) Thirty dollars for an enhanced official state personal
15 identification card.

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

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

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

25 (8) ~~The~~ **Subject to subsection (9),** the secretary of state
26 shall not assess a late renewal fee for an enhanced driver license
27 or enhanced official state personal identification card that
28 expires on or after March 1, 2020 and is renewed before ~~March 31,~~
29 **September 30, 2021.**

1 (9) Notwithstanding any other provision of this act, if on the
2 effective date of this amendatory act, the secretary of state does
3 not provide adequate in-person services, the secretary of state
4 shall not assess a late renewal fee under this act until the
5 secretary of state resumes providing adequate in-person services.
6 As used in this subsection, "adequate in-person services" means a
7 minimum of 25 hours a week of in-person services, without the
8 requirement of an appointment or preregistration, provided on a
9 consistent basis in all secretary of state branches in this state.

10 Enacting section 1. Sections 4(4) and 6(2) and (8) of the
11 enhanced driver license and enhanced official state personal
12 identification card act, 2008 PA 23, MCL 28.304 and 28.306, as
13 amended by this amendatory act, are intended to be retroactive and
14 apply retroactively from April 1, 2021.

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

18 (a) Senate Bill No. 509.

19 (b) Senate Bill No. 507.