

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.221 Application for registration; creation and maintenance of computerized central file; records; preservation; availability; communication impediment designation; requirements; definition.

Sec. 221. (1) The secretary of state shall create and maintain a computerized central file of all applications for registration of motor vehicles and is not required to retain any other record of the application. The computerized central file must be interfaced with the law enforcement information network as provided in the C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215.

(2) The secretary of state shall preserve the records described in subsection (1) for 3 years after the date of registration. The records must be available to state and federal agencies and the friend of the court as provided under section 4 of the C.J.I.S. policy council act, 1974 PA 163, MCL 28.214, and rules promulgated under that section. The records, except for a communication impediment designation, must be available to the public through the secretary of state's commercial look-up service.

(3) If an owner of a motor vehicle meets the requirements under subsection (4), the secretary of state shall allow the owner of a motor vehicle who is applying for a vehicle registration or for renewal of a vehicle registration to elect a communication impediment designation on the application maintained in the central file under subsection (1) to allow a person with access to the law enforcement information network under the C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215, to view a communication impediment designation with a motor vehicle registration.

(4) An owner of a motor vehicle seeking an election for a communication impediment designation under subsection (3) shall provide to the secretary of state a certification that meets all of the following:

(a) Is signed by a physician, physician assistant, certified nurse practitioner, audiologist, speech-language pathologist, psychologist, or physical therapist licensed to practice in this state.

(b) Identifies the individual for whom the communication impediment designation is being elected.

(c) Attests to the nature of the communication impediment.

(5) A person who intentionally makes a false statement of material fact or commits or attempts to commit a deception or fraud on a statement described under subsection (4) is guilty of a misdemeanor punishable by imprisonment for not more than 30 days or a fine of not more than \$500.00, or both.

(6) Subject to subsection (7), the secretary of state may cancel or revoke a communication impediment designation elected and maintained under this section if either of the following circumstances applies:

(a) The secretary of state determines that a communication impediment designation was fraudulently or erroneously elected.

(b) The secretary of state determines the communication impediment designation was abused during a traffic stop.

(7) The secretary of state shall provide the owner of a motor vehicle notice and an opportunity to be heard before canceling or revoking a communication impediment designation under subsection (6).

(8) As used in this section, "communication impediment" means the owner of a motor vehicle, or an individual who resides in the same household as the owner of the motor vehicle, has a health condition that may impede communication with a police officer during a traffic stop, including, but not limited to, any of the following:

(a) Deafness or hearing loss.

(b) An autism spectrum disorder.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1997, Act 101, Imd. Eff. Aug. 7, 1997;—Am. 1998, Act 64, Eff. May 13, 1998;—Am. 2020, Act 93, Eff. July 1, 2021;—Am. 2021, Act 104, Eff. Dec. 1, 2021.