

HOUSE BILL No. 4110

February 7, 1989, Introduced by Rep. Ciaramitaro and referred to the Committee on Elections.

A bill to amend sections 307 and 315 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," section 307 as amended by Act No. 346 of the Public Acts of 1988, being sections 257.307 and 257.315 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 307 and 315 of Act No. 300 of the
2 Public Acts of 1949, section 307 as amended by Act No. 346 of the
3 Public Acts of 1988, being sections 257.307 and 257.315 of the
4 Michigan Compiled Laws, are amended to read as follows:
5 Sec. 307. (1) An application for an operator's or
6 chauffeur's license shall be made upon a form furnished by the
7 secretary of state and shall contain ALL OF the following:

1 (a) ~~For an operator's or chauffeur's license, full name,~~
2 ~~date of birth, address of residence, information~~ NAME OF THE
3 APPLICANT.

4 (B) ADDRESS OF THE APPLICANT, INCLUDING STREET AND NUMBER OR
5 RURAL ROUTE AND BOX NUMBER, IF ANY, CITY OR TOWNSHIP OF RESIDEN-
6 CY, COUNTY, AND, IF KNOWN, SCHOOL DISTRICT.

7 (C) DATE OF BIRTH OF THE APPLICANT.

8 (D) BIRTHPLACE OF THE APPLICANT.

9 (E) INFORMATION PURSUANT TO SUBSECTION (2).

10 (F) CITIZENSHIP OF THE APPLICANT.

11 (G) IF THE APPLICANT CHOOSES TO REGISTER TO VOTE AND FOR THE
12 PURPOSE OF VOTING IN A PRESIDENTIAL PRIMARY ELECTION, A SPACE FOR
13 THE APPLICANT TO DECLARE A PARTY PREFERENCE OR THAT THE APPLICANT
14 HAS NO PARTY PREFERENCE.

15 (H) INFORMATION required or permitted on the license pursu-
16 ant to this chapter. ~~, and signature~~

17 (I) SIGNATURE AND CERTIFICATION of the applicant TO THE
18 TRUTH OF THE ENTRIES AND STATEMENTS ON THE APPLICATION.

19 (2) AN APPLICANT MAY INDICATE 1 OF THE FOLLOWING:

20 (A) THE APPLICANT CHOOSES NOT TO REGISTER TO VOTE.

21 (B) THE APPLICANT, FOR PURPOSES OF VOTER REGISTRATION,
22 CHOOSES A DIFFERENT ADDRESS THAN THE ADDRESS INDICATED ON THE
23 PERSONAL IDENTIFICATION CARD APPLICATION, IF HE OR SHE MAINTAINS
24 MORE THAN 1 RESIDENCE.

25 (3) ~~(b) For~~ AN APPLICATION FOR an operator's or
26 chauffeur's license with a vehicle group designation or
27 indorsement ~~, full name, social~~ SHALL CONTAIN, IN ADDITION TO

1 THE INFORMATION REQUIRED BY SUBSECTIONS (1) AND (2), ALL OF THE
2 FOLLOWING:

3 (A) SOCIAL security number, ~~date of birth, address of~~
4 ~~residence,~~ height, AND sex ~~, information required or permitted~~
5 ~~on the license pursuant to this chapter, and signature~~ of the
6 applicant.

7 (B) ~~(c) For an operator's or chauffeur's license with a~~
8 ~~vehicle group designation or indorsement, the~~ THE following cer-
9 tifications ~~shall be made~~ by the applicant:

10 (i) That the applicant meets the applicable federal physical
11 driver qualification requirements pursuant to 49 C.F.R. part 391
12 if the applicant operates or intends to operate in interstate
13 commerce or meets the applicable physical qualifications pursuant
14 to the rules promulgated by the department of state police under
15 the motor carrier safety act of 1963, Act No. 181 of the Public
16 Acts of 1963, being sections 480.11 to 480.21 of the Michigan
17 Compiled Laws, if the applicant operates or intends to operate in
18 intrastate commerce.

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

22 (iii) That the applicant has not been convicted of an
23 offense as described in section 312f or 319b.

24 (iv) That the applicant does not have a driver's license
25 from more than 1 state.

26 (C) ~~(d) For an operator's or chauffeur's license with a~~
27 ~~vehicle group designation or indorsement and for which~~ IF the

1 applicant claims a waiver of the driving test as provided in
2 section 312f, the following additional certifications ~~shall be~~
3 ~~made~~ by the applicant concerning the 2-year period immediately
4 prior to application:

5 (i) That the applicant has not had more than 1 license.

6 (ii) That the applicant has not had ~~any~~ A license sus-
7 pended, revoked, or canceled.

8 (iii) That the applicant has not been convicted of ~~any~~ AN
9 offense listed in section 319b while operating a motor vehicle.

10 (iv) That the applicant has not been convicted of a moving
11 violation under state or local law relating to motor vehicle
12 traffic control ~~arising~~ in connection with ~~any~~ A traffic
13 accident.

14 (v) That the applicant is regularly employed in a job
15 requiring the operation of a commercial motor vehicle.

16 (vi) That the applicant qualifies under either of the
17 following:

18 (A) Has passed a behind-the-wheel driving test given by a
19 state with a classified licensing and testing system and taken in
20 a representative vehicle for that applicant's driver's license
21 classification.

22 (B) Has operated, for ~~at least~~ NOT LESS THAN 2 years imme-
23 diately preceding application, a vehicle representative of the
24 commercial motor vehicle group or passenger vehicle for which he
25 or she is applying.

26 (4) ~~(2)~~ An applicant for an operator's or chauffeur's
27 license may be photographed ~~simultaneously~~ at the time the

1 application for the respective license is made. The secretary of
2 state shall acquire by purchase or lease the equipment for taking
3 the pictures and furnish it to the local unit. Equipment pur-
4 chased or leased for carrying out this act shall be acquired
5 under standard purchasing procedures of the department of manage-
6 ment and budget based on standards and specifications established
7 by the secretary of state. Equipment shall not be purchased or
8 leased until an appropriation for the equipment has been made by
9 the legislature after a budget request has been properly
10 presented to the legislature. The photograph shall appear on the
11 applicant's driver's license only and a photograph or negative of
12 the photograph shall not be kept on file by the secretary of
13 state or any other enforcement agency.

14 (5) ~~(3)~~ An application shall be signed and certified by
15 the applicant. An application shall be accompanied by the proper
16 fee. ~~to~~ THE FEE SHALL be collected by the examiner and forwarded
17 to the secretary of state with the application. ~~This~~ THE fee
18 shall be refunded to the applicant when the license applied for
19 is denied, but the fee shall not be refunded to an applicant who
20 fails to complete the examination requirements of the secretary
21 of state within 90 days after the date of application for a
22 license.

23 (6) ~~(4)~~ If an application is received from a person previ-
24 ously licensed in another jurisdiction, the secretary of state
25 shall request a copy of the applicant's record from the other
26 jurisdiction. When received, the driving record shall become a
27 part of the driver's record in this state with the same force and

1 effect as though entered on the driver's record in this state in
2 the original instance. If the application is for an original,
3 renewal, or change of a vehicle group designation or indorsement,
4 the secretary of state shall also check the applicant's driving
5 record with the national drivers register and the United States
6 department of transportation before issuance of that group designation or indorsement.

8 (7) ~~(5)~~ Except for a vehicle group designation or indorsement,
9 the secretary of state may issue a renewal operator's or
10 chauffeur's license for 1 additional 4-year period by mail. The
11 secretary of state shall not issue a renewal license by mail
12 unless the licensee has a driving record ~~which~~ THAT is free of
13 convictions and civil infraction determinations for the 48 months
14 preceding renewal. However, the secretary of state shall not
15 refuse to issue a renewal license by mail because of a conviction
16 or civil infraction determination for which fines and costs were
17 waived pursuant to section 901a or section 907. When a license
18 is renewed by mail, the secretary of state shall issue evidence
19 of renewal, which shall be affixed to the previously issued
20 license to indicate the date the license expires in the future.
21 This evidentiary document shall be manufactured in the same
22 manner required of the operator's license in section 310. ~~of~~
23 ~~this act.~~

24 (8) ~~(6)~~ Upon request, the secretary of state shall provide
25 an information manual to an applicant explaining how to obtain a
26 vehicle group designation or indorsement. The manual shall
27 contain the information required pursuant to 49 C.F.R. part 383.

1 (9) VOTER REGISTRATION UNDER THIS SECTION SHALL CANCEL ANY
2 OTHER VOTER REGISTRATION IN THIS STATE, AND THE REGISTRANT'S NAME
3 SHALL BE REMOVED FROM ANY PREVIOUS VOTER REGISTRATION LIST.

4 Sec. 315. (1) ~~(a) Any~~ AN operator or chauffeur, who
5 ~~shall change~~ CHANGES his OR HER residence ~~previous to~~ BEFORE
6 the expiration of a license granted under this chapter, shall
7 immediately return ~~such~~ THE license to the local examining
8 board or the department, ~~whose duty it~~ WHICH shall ~~be to~~
9 write the new address on the reverse side of the license and the
10 date of change.

11 (2) ~~(b)~~ Failure to have ~~such~~ A change of address
12 recorded ~~as herein provided~~ may be cause for revocation or sus-
13 pension of ~~same~~ THE LICENSE immediately if there is no response
14 to a notice mailed to ~~his~~ THE OPERATOR'S OR CHAUFFEUR'S last
15 known address.

16 (3) A CHANGE OF ADDRESS FORM FURNISHED BY THE DEPARTMENT
17 SHALL INCLUDE THE FOLLOWING STATEMENTS, AND THE OPERATOR OR
18 CHAUFFEUR MAY SELECT 1:

19 (A) THE APPLICANT CHOOSES NOT TO REGISTER TO VOTE.

20 (B) THE APPLICANT FOR PURPOSES OF VOTER REGISTRATION CHOOSES
21 A DIFFERENT ADDRESS THAN THE ADDRESS INDICATED ON THE CHANGE OF
22 ADDRESS FORM, IF HE OR SHE MAINTAINS MORE THAN 1 RESIDENCE.

23 Section 2. This amendatory act shall not take effect unless
24 all of the following bills of the 85th Legislature are enacted
25 into law:

26 (a) Senate Bill No. _____ or House Bill No. 4109 (request
27 no. 00910'89).

1 (b) Senate Bill No. _____ or House Bill No. 4111 (request
2 no. 00910'89 b).