

HOUSE BILL No. 4716

April 27, 1989, Introduced by Reps. DeLange, Middaugh, Hillegonds, Willis Bullard and Muxlow and referred to the Committee on Transportation.

A bill to amend section 307 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 346 of the Public Acts of 1988, being section 257.307 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 307 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 346 of the Public Acts of 1988, being
3 section 257.307 of the Michigan Compiled Laws, is amended to read
4 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:

8 (a) For an operator's or chauffeur's license, full name,
9 date of birth, address of residence, information required or

1 permitted on the license pursuant to this chapter, and signature
2 of the applicant.

3 (b) For an operator's or chauffeur's license with a vehicle
4 group designation or indorsement, full name, social security
5 number, date of birth, address of residence, height, sex, infor-
6 mation required or permitted on the license pursuant to this
7 chapter, and signature of the applicant.

8 (c) For an operator's or chauffeur's license with a vehicle
9 group designation or indorsement, the following certifications
10 ~~shall be~~ made by the applicant:

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

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

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

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

1 (d) For an operator's or chauffeur's license with a vehicle
2 group designation or indorsement and for which the applicant
3 claims a waiver of the driving test as provided in section 312f,
4 the following additional certifications ~~shall be~~ made by the
5 applicant concerning the 2-year period immediately prior to
6 application:

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

8 (ii) That the applicant has not had any license suspended,
9 revoked, or canceled.

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

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

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

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

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

23 (B) Has operated, for at least 2 years immediately preceding
24 application, a vehicle representative of the commercial motor
25 vehicle group or passenger vehicle for which he or she is
26 applying.

1 (2) An applicant for an operator's or chauffeur's license
2 may be photographed ~~simultaneously~~ at the time the application
3 for the ~~respective~~ license is made. The secretary of state
4 shall acquire by purchase or lease the equipment for taking the
5 ~~pictures~~ PHOTOGRAPHS and SHALL furnish ~~it~~ THE EQUIPMENT to
6 the local unit. Equipment purchased or leased ~~for carrying out~~
7 ~~this act~~ PURSUANT TO THIS SECTION shall be acquired under stan-
8 dard purchasing procedures of the department of management and
9 budget based on standards and specifications established by the
10 secretary of state. Equipment shall not be purchased or leased
11 until an appropriation for the equipment has been made by the
12 legislature. ~~after a budget request has been properly presented~~
13 ~~to the legislature. The~~ A photograph TAKEN PURSUANT TO THIS
14 SECTION shall appear on the applicant's ~~driver's~~ OPERATOR'S OR
15 CHAUFFEUR'S license only and ~~a~~ THE photograph, A COPY OF THE
16 PHOTOGRAPH, or A negative of the photograph shall not be ~~kept on~~
17 ~~file~~ RETAINED by the secretary of state or any other
18 ~~enforcement~~ agency.

19 (3) An application shall be signed and certified by the
20 applicant. An application shall be accompanied by the proper
21 fee. ~~to~~ THIS FEE SHALL be collected by the examiner and for-
22 warded to the secretary of state with the application. This fee
23 shall be refunded to the applicant ~~when~~ IF the license applied
24 for is denied, but the fee shall not be refunded to an applicant
25 who fails to complete the examination requirements of the secre-
26 tary of state within 90 days after the date of application for a
27 license.

1 (4) If an application is received from a person previously
2 licensed in another jurisdiction, the secretary of state shall
3 request a copy of the applicant's record from the other
4 jurisdiction. When received, the driving record shall become a
5 part of the driver's record in this state with the same force and
6 effect as though entered on the driver's record in this state in
7 the original instance. If the application is for an original,
8 renewal, or change of a vehicle group designation or indorsement,
9 the secretary of state shall also check the applicant's driving
10 record with the national drivers register and the United States
11 department of transportation before issuance of that group desig-
12 nation or indorsement.

13 (5) Except for a vehicle group designation or indorsement,
14 the secretary of state may issue a renewal operator's or
15 chauffeur's license for 1 additional 4-year period by mail.
16 ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE secretary
17 of state shall not issue a renewal license by mail unless the
18 licensee IS LESS THAN 71 YEARS OF AGE AND has a driving record
19 which is free of convictions and civil infraction determinations
20 for the 48 months preceding renewal. However, the secretary of
21 state shall not refuse to issue a renewal license by mail because
22 of a conviction or civil infraction determination for which fines
23 and costs were waived pursuant to section 901a or section 907.

24 (6) A LICENSEE WHO IS 71 YEARS OF AGE OR OLDER MAY RENEW HIS
25 OR HER OPERATOR'S OR CHAUFFEUR'S LICENSE BY MAIL IF, IN ADDITION
26 TO MEETING ALL OTHER REQUIREMENTS FOR RENEWAL UNDER THIS ACT, THE
27 LICENSEE HAS COMPLETED AN ACCIDENT PREVENTION EDUCATION COURSE

1 WITHIN 6 MONTHS BEFORE THE EXPIRATION DATE OF THE LICENSE AND
2 SUBMITS A CERTIFICATE OF COMPLETION OF THE COURSE WITH HIS OR HER
3 APPLICATION FOR RENEWAL. THE ACCIDENT PREVENTION EDUCATION
4 COURSE SHALL MEET ALL OF THE FOLLOWING CRITERIA:

5 (A) THE COURSE SHALL INCLUDE, BUT NOT BE LIMITED TO, ALL OF
6 THE FOLLOWING:

7 (i) A MINIMUM OF 8 HOURS OF CLASSROOM INSTRUCTION.

8 (ii) A REVIEW OF ALL OF THE FOLLOWING:

9 (A) THE EFFECTS OF AGING ON DRIVING BEHAVIOR.

10 (B) THE SHAPES, COLORS, AND TYPES OF ROAD SIGNS.

11 (C) THE EFFECTS OF ALCOHOL AND MEDICATION ON DRIVING.

12 (D) THE LAWS RELATING TO THE PROPER USE OF A MOTOR VEHICLE.

13 (E) ACCIDENT PREVENTION MEASURES.

14 (F) THE BENEFITS OF SAFETY BELTS AND CHILD RESTRAINTS.

15 (G) MAJOR DRIVING HAZARDS.

16 (H) INTERACTION WITH OTHER HIGHWAY USERS SUCH AS MOTORCY-
17 CLISTS, BICYCLISTS, AND PEDESTRIANS.

18 (iii) PSYCHO-PHYSICAL TESTING, INCLUDING DEPTH PERCEPTION,
19 BRAKE REACTION TIME, AND NIGHT VISION.

20 (B) A CERTIFICATE OF COMPLETION SHALL BE ISSUED TO A PERSON
21 WHO SUCCESSFULLY COMPLETES THE COURSE.

22 (7) ALONG WITH THE APPLICATION FOR RENEWAL PROVIDED TO A
23 LICENSEE, THE SECRETARY OF STATE SHALL PROVIDE INFORMATION CON-
24 CERNING THE AVAILABILITY OF ACCIDENT PREVENTION EDUCATION COURSES
25 AS DESCRIBED IN SUBSECTION (6).

26 (8) When a license is renewed by mail, the secretary of
27 state shall issue evidence of renewal, which shall be affixed to

1 the previously issued license to indicate the date the license
2 expires in the future. This ~~evidentiary document~~ EVIDENCE OF
3 RENEWAL shall be manufactured in ~~the same manner required of the~~
4 ~~operator's license in section 310 of this act~~ A MANNER TO PRO-
5 HIBIT AS NEARLY AS POSSIBLE THE ABILITY TO REPRODUCE, ALTER,
6 COUNTERFEIT, FORGE, OR DUPLICATE IT WITHOUT READY DETECTION.

7 (9) ~~(6)~~ Upon request, the secretary of state shall provide
8 an information manual to an applicant explaining how to obtain a
9 vehicle group designation or indorsement. The manual shall con-
10 tain the information required pursuant to 49 C.F.R. part 383.