

HOUSE BILL No. 5877

June 14, 1990, Introduced by Reps. Leland, Webb, Law, Berman, Porreca, Munsell, Perry Bullard, Hertel and Kulchitsky and referred to the Committee on Transportation.

A bill to amend sections 207, 208, and 232 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

section 207 as amended by Act No. 398 of the Public Acts of 1980 and section 208 as amended by Act No. 310 of the Public Acts of 1982, being sections 257.207, 257.208, and 257.232 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 207, 208, and 232 of Act No. 300 of the
2 Public Acts of 1949, section 207 as amended by Act No. 398 of the
3 Public Acts of 1980 and section 208 as amended by Act No. 310 of
4 the Public Acts of 1982, being sections 257.207, 257.208, and
5 257.232 of the Michigan Compiled Laws, are amended to read as
6 follows:

1 Sec. 207. (1) An officer or employee designated by the
2 secretary of state for the purpose of administering the motor
3 vehicle laws shall administer oaths and acknowledge signatures
4 without fee.

5 (2) ~~The~~ EXCEPT AS PROVIDED IN THIS ACT, THE secretary of
6 state and the officers designated by the secretary of state may
7 prepare under the seal of the secretary of state and deliver,
8 upon request, a certified copy of a record maintained under this
9 act and charge a fee as set forth in this act. A certified copy
10 of a record ~~shall be~~ IS admissible in a proceeding in a court
11 in the same manner as the original record and ~~shall be~~ IS prima
12 facie evidence of the facts stated on the record.

13 Sec. 208. (1) Records of the department, other than those
14 declared by law to be confidential for the use of the department
15 OR CERTAIN OTHER PERSONS, shall be open to public inspection
16 under rules as the secretary of state may promulgate, pursuant to
17 section 3 of the freedom of information act, Act No. 442 of the
18 Public Acts of 1976, being section 15.233 of the Michigan
19 Compiled Laws.

20 (2) The secretary of state may destroy any records of the
21 department ~~which~~ THAT have been maintained on file for 7 years,
22 including the information contained in the central file main-
23 tained under section 204a, except the following:

24 (a) Records of convictions of any offense for which points
25 are provided under section 320a(1)(a), (b), (f), or (9) which may
26 be destroyed after being maintained on file for 10 years.

1 (b) Records of stolen vehicles reported in section 253,
2 which may be destroyed after being maintained on file for the
3 year of entry plus 4 years.

4 (c) Except as otherwise specified in this act, records
5 ~~which~~ THAT the secretary of state may consider obsolete and of
6 no further service in carrying out the powers and duties of the
7 department.

8 (3) The secretary of state may destroy a record of suspen-
9 sion under section 321a ~~—~~ 180 days after termination of the
10 suspension ~~—~~ if the record of suspension does not contain a
11 conviction for a violation of section 904 or a local ordinance
12 substantially corresponding to section 904 during the period of
13 suspension, or as provided in subsection (2).

14 (4) The secretary of state may destroy a record of receipt
15 of the notice provided for in section 321a(3) after the court
16 involved informs the secretary of state that all outstanding mat-
17 ters regarding section 321a(3) have been resolved.

18 (5) The secretary of state may destroy a record maintained
19 pursuant to section 204a ~~—~~ 180 days after the nonresident
20 driver against whom a civil infraction determination is entered
21 complies with an order or judgment issued pursuant to section
22 907.

23 Sec. 232. (1) The secretary of state shall furnish to
24 chiefs of police in cities of an estimated population of 10,000
25 or more and to sheriffs of counties ~~—~~ a list of the motor vehi-
26 cle registrations and ~~such~~ NECESSARY RELATED information.
27 ~~relating thereto as may be necessary. The~~ EXCEPT AS PROVIDED

1 IN SUBSECTION (3), THE secretary of state ~~is hereby authorized~~
2 ~~to~~ MAY sell ~~any~~ surplus lists ~~he may publish, and fix~~ THAT
3 ARE PUBLISHED AT a reasonable price, ~~therefor,~~ AND the proceeds
4 of ~~such~~ THE sales ~~to be added~~ SHALL BE CREDITED to the state
5 highway fund. ~~provided for herein.~~

6 (2) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (3), THE secre-
7 tary of state ~~is hereby authorized to~~ MAY sell, or contract for
8 the sale of, any motor vehicle registration lists in addition to
9 those distributed at no cost under ~~this section~~ SUBSECTION (1)
10 and to sell or furnish any other information from the records of
11 the department pertaining to the sale, ownership, and operation
12 of motor vehicles. The secretary of state shall fix a reasonable
13 price ~~or charge~~ for the sale of ~~such~~ THOSE lists or other
14 information, and the proceeds ~~therefrom~~ FROM THE SALES
15 DESCRIBED IN THIS SECTION shall be ~~added~~ CREDITED to the state
16 highway fund. ~~provided for herein.~~

17 (3) IF FURNISHED WITH A LICENSE PLATE NUMBER, THE SECRETARY
18 OF STATE SHALL NOT RELEASE THE NAME OR ADDRESS OF THE OWNER OF
19 THE MOTOR VEHICLE WITH THAT LICENSE PLATE NUMBER. THIS INFORMA-
20 TION SHALL BE EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFOR-
21 MATION ACT, ACT NO. 442 OF THE PUBLIC ACTS OF 1976, BEING
22 SECTIONS 15.231 TO 15.246 OF THE MICHIGAN COMPILED LAWS. THIS
23 SUBSECTION DOES NOT APPLY TO CHIEFS OF POLICE, SHERIFFS OF COUN-
24 TIES, OR AUTOMOBILE INSURANCE COMPANIES.