

# SENATE BILL No. 163

February 21, 1989, Introduced by Senator J. HART and referred to the Committee on State Affairs, Tourism, and 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 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~~ UNDER THIS SECTION shall be acquired under standard  
8 purchasing procedures of the department of management and budget  
9 based on standards and specifications established by the secre-  
10 tary of state. Equipment shall not be purchased or leased until  
11 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 BY any other enforce-  
18 ment 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~~ THE 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. The  
16 secretary of state shall not issue a renewal license by mail  
17 unless the licensee IS LESS THAN 71 YEARS OF AGE AND has a driv-  
18 ing record which is free of convictions and civil infraction  
19 determinations for the 48 months preceding renewal. However, the  
20 secretary of state shall not refuse to issue a renewal license by  
21 mail because of a conviction or civil infraction determination  
22 for which fines and costs were waived pursuant to section 901a or  
23 section 907. When a license is renewed by mail, the secretary of  
24 state shall issue evidence of renewal which shall be affixed to  
25 the previously issued license to indicate the date the license  
26 expires in the future. ~~This evidentiary document~~ THE EVIDENCE  
27 OF RENEWAL shall be manufactured in ~~the same~~ A manner ~~required~~

1 ~~of the operator's license in section 310 of this act~~ TO PROHIBIT  
2 AS NEARLY AS POSSIBLE THE ABILITY TO REPRODUCE, ALTER, COUNTER-  
3 FEIT, FORGE, OR DUPLICATE IT WITHOUT READY DETECTION.

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