

# SENATE BILL No. 1217

November 27, 2018, Introduced by Senator COLBECK and referred to the Committee on Insurance.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 226, 227, 303, 304, 307, 323, 512, 512a, 513,  
518b, 657a, 732, 732a, 732b, 801e, and 907 (MCL 257.226, 257.227,  
257.303, 257.304, 257.307, 257.323, 257.512, 257.512a, 257.513,  
257.518b, 257.657a, 257.732, 257.732a, 257.732b, 257.801e, and  
257.907), section 226 as amended by 2018 PA 342, section 227 as  
amended by 2011 PA 92, section 303 as amended by 2012 PA 498,  
section 304 as amended by 2018 PA 48, section 307 as amended by  
2018 PA 177, section 323 as amended by 2018 PA 99, section 518b as  
added by 2016 PA 348, section 657a as amended by 2018 PA 139,  
section 732 as amended by 2017 PA 160, sections 732a and 732b as  
amended by 2018 PA 50, section 801e as amended by 1983 PA 91, and  
section 907 as amended by 2015 PA 126, and by adding sections 623a,

623b, and 623c; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 226. (1) A vehicle registration issued by the secretary  
2 of state expires on the owner's birthday, unless another expiration  
3 date is provided for under this act or unless the registration is  
4 for the following vehicles, in which case registration expires on  
5 the last day of February:

6           (a) A commercial vehicle except for a commercial vehicle  
7 issued a registration under the international registration plan or  
8 a pickup truck or van owned by an individual.

9           (b) Except for a trailer or semitrailer issued a registration  
10 under the international registration plan, a trailer or semitrailer  
11 owned by a business, corporation, or person other than an  
12 individual; or a pole trailer.

13           (2) The expiration date for a registration issued for a  
14 motorcycle is the motorcycle owner's birthday.

15           (3) The expiration date for a registration bearing the letters  
16 "SEN" or "REP" is February 1.

17           (4) In the case of a vehicle owned by a business, corporation,  
18 or an owner other than an individual, the secretary of state may  
19 assign or reassign the expiration date of the registration.

20           (5) The secretary of state shall do all of the following:

21           (a) After the October 1 immediately preceding the year  
22 designated on the registration, issue a registration upon  
23 application and payment of the proper fee for a commercial vehicle,  
24 other than a pickup or van owned by an individual; or a trailer  
25 owned by a business, corporation, or person other than an

1 individual.

2 (b) Beginning 60 days before the expiration date assigned on  
3 an international registration plan registration plate, issue a  
4 registration under section 801g upon application and payment of the  
5 proper apportioned fee for a commercial vehicle engaged in  
6 interstate commerce.

7 (c) Beginning 45 days before the owner's birthday and 120 days  
8 before the expiration date assigned by the secretary of state,  
9 issue a registration for a vehicle other than those designated in  
10 subsection (1)(a) or (b). However, if an owner whose registration  
11 period begins 45 days before his or her birthday will be out of the  
12 state during the 45 days immediately preceding expiration of a  
13 registration or for other good cause shown cannot apply for a  
14 renewal registration within the 45-day period, application for a  
15 renewal registration may be made not more than 6 months before  
16 expiration.

17 (6) Except as otherwise provided in this subsection, the  
18 secretary of state, upon application and payment of the proper fee,  
19 shall issue a registration for a vehicle or a motorcycle to a  
20 resident that shall expire on the owner's birthday. If the owner's  
21 next birthday is at least 6 months but not more than 12 months in  
22 the future, the owner shall receive a registration valid until the  
23 owner's next birthday. If the owner's next birthday is less than 6  
24 months in the future, the owner shall receive a registration valid  
25 until the owner's birthday following the owner's next birthday. The  
26 tax required under this act for a registration described in this  
27 subsection shall be either of the following:

1 (a) For an original registration, the tax shall bear the same  
2 relationship to the tax required under section 801 for a 12-month  
3 registration as the length of the registration bears to 12 months.

4 (b) For a renewal of a registration, either of the following:

5 (i) For a registration that is for at least 6 months but not  
6 more than 12 months, the same amount as for 12 months.

7 (ii) For a renewal of a registration that is for more than 12  
8 months, 2 times the amount for 12 months.

9 Partial months shall be considered as whole months in the  
10 calculation of the required tax and in the determination of the  
11 length of time between the application for a registration and the  
12 owner's next birthday. The tax required for that registration shall  
13 be rounded off to whole dollars as provided in section 801.

14 (7) A certificate of title shall remain valid until canceled  
15 by the secretary of state for cause or upon a transfer of an  
16 interest shown on the certificate of title.

17 (8) The secretary of state, upon request, shall issue special  
18 registration for commercial vehicles, valid for 6 months after the  
19 date of issue, if the full registration fee exceeds \$50.00, on the  
20 payment of 1/2 the full registration fee and a service charge as  
21 enumerated in section 802(1).

22 (9) The secretary of state may issue a special registration  
23 for each of the following:

24 (a) A new vehicle purchased or leased outside of this state  
25 and delivered in this state to the purchaser or lessee by the  
26 manufacturer of that vehicle for removal to a place outside of this  
27 state, if a certification is made that the vehicle will be

1 primarily used, stored, and registered outside of this state and  
2 will not be returned to this state by the purchaser or lessee for  
3 use or storage.

4 (b) A vehicle purchased or leased in this state and delivered  
5 to the purchaser or lessee by a dealer or by the owner of the  
6 vehicle for removal to a place outside of this state, if a  
7 certification is made that the vehicle will be primarily used,  
8 stored, and registered outside of this state and will not be  
9 returned to this state by the purchaser or lessee for use or  
10 storage.

11 (10) A special registration issued under subsection (9) is  
12 valid for not more than 30 days after the date of issuance, and a  
13 fee shall be collected for each special registration as provided in  
14 section 802(3). The special registration may be in the form  
15 determined by the secretary of state. If a dealer makes a retail  
16 sale or lease of a vehicle to a purchaser or lessee who is  
17 qualified and eligible to obtain a special registration, the dealer  
18 shall apply for the special registration for the purchaser or  
19 lessee. If a person other than a dealer sells or leases a vehicle  
20 to a purchaser or lessee who is qualified and eligible to obtain a  
21 special registration, the purchaser or lessee shall appear in  
22 person, or by a person exercising the purchaser's or lessee's power  
23 of attorney, at an office of the secretary of state and furnish a  
24 certification that the person is the bona fide purchaser or lessee  
25 or that the person has granted the power of attorney, together with  
26 other forms required for the issuance of the special registration.  
27 ~~and provide the secretary of state with proof that the vehicle is~~

1 ~~covered by a Michigan no fault insurance policy issued under~~  
2 ~~section 3101 of the insurance code of 1956, 1956 PA 218, MCL~~  
3 ~~500.3101, or proof that the vehicle is covered by a policy of~~  
4 ~~insurance issued by an insurer under section 3163 of the insurance~~  
5 ~~code of 1956, 1956 PA 218, MCL 500.3163.~~ The certification required  
6 in this subsection shall contain all of the following:

7 (a) The address of the purchaser or lessee.

8 (b) A statement that the vehicle is purchased or leased for  
9 registration outside of this state.

10 (c) A statement that the vehicle shall be primarily used,  
11 stored, and registered outside of this state.

12 (d) The name of the jurisdiction in which the vehicle is to be  
13 registered.

14 (e) Other information requested by the secretary of state.

15 (11) In the case of a commercial vehicle, trailer, or  
16 semitrailer issued a registration under the international  
17 registration plan, the secretary of state in mutual agreement with  
18 the owner may assign or reassign the expiration date of the  
19 registration. However, the expiration date agreed to shall be  
20 either March 31, June 30, September 30, or December 31 or beginning  
21 on February 19, 2019, the last day of a calendar month. Renewals  
22 expiring on or after June 30, 2020 shall be for a minimum of at  
23 least 12 months if there is a change in the established expiration  
24 date.

25 (12) The expiration date for a multiyear registration issued  
26 for a leased vehicle ~~shall be~~ **IS** the date the lease expires but  
27 shall not be for a period longer than 24 months.

1           Sec. 227. (1) Application for renewal of a vehicle  
2 registration shall be made by the owner upon proper application and  
3 by payment of the registration fee for the vehicle, as provided by  
4 law.

5           (2) Every application shall be accompanied by the certificate  
6 of title pertaining to the vehicle, showing ownership in the person  
7 applying for registration at the time of the application. The  
8 secretary of state may waive the presentation of the certificate of  
9 title.

10 ~~—— (3) Every application for renewal of a motor vehicle~~  
11 ~~registration shall be accompanied by proof of vehicle insurance in~~  
12 ~~a form determined by the secretary of state.~~

13 ~~—— (4) Notwithstanding subsection (3), the secretary of state~~  
14 ~~shall accept as proof of vehicle insurance a transmission of the~~  
15 ~~applicant's vehicle policy information for an insured vehicle for~~  
16 ~~which vehicle registration is sought. The secretary of state may~~  
17 ~~determine in what format and on what timeline the secretary of~~  
18 ~~state will receive vehicle policy information, which shall not be~~  
19 ~~required more frequently than every 14 days. In determining the~~  
20 ~~format under this subsection, the secretary of state shall consult~~  
21 ~~with insurers. The transmission to the secretary of state of the~~  
22 ~~vehicle policy information is proof of insurance to the secretary~~  
23 ~~of state for motor vehicle registration purposes only and is not~~  
24 ~~evidence that a policy of insurance actually exists between an~~  
25 ~~insurer and an individual. Vehicle policy information submitted by~~  
26 ~~an insurer and received by the secretary of state under this~~  
27 ~~subsection is confidential, is not subject to the freedom of~~

~~1 information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not  
2 be disclosed to any person except the department of community  
3 health for purposes of 2006 PA 593, MCL 550.281 to 550.289, or  
4 under an order by a court of competent jurisdiction in connection  
5 with a claim or fraud investigation or prosecution.~~

~~6 (6) As used in this section, "policy information" means the  
7 information an automobile insurer is required to supply to the  
8 secretary of state under section 3101a of the insurance code of  
9 1956, 1956 PA 218, MCL 500.3101a.~~

10 Sec. 303. (1) The secretary of state shall not issue a license  
11 under this act to any of the following persons:

12 (a) A person, as an operator, who is less than 18 years of  
13 age, except as otherwise provided in this act.

14 (b) A person, as a chauffeur, who is less than 18 years of  
15 age, except as otherwise provided in this act.

16 (c) A person whose license is suspended, revoked, denied, or  
17 canceled in any state. If the suspension, revocation, denial, or  
18 cancellation is not from the jurisdiction that issued the last  
19 license to the person, the secretary of state may issue a license  
20 after the expiration of 5 years from the effective date of the most  
21 recent suspension, revocation, denial, or cancellation.

22 (d) A person who in the opinion of the secretary of state is  
23 afflicted with or suffering from a physical or mental disability or  
24 disease preventing that person from exercising reasonable and  
25 ordinary control over a motor vehicle while operating the motor  
26 vehicle upon the highways.

27 (e) A person who is unable to understand highway warning or



1 direction signs in the English language.

2 (f) A person who is unable to pass a knowledge, skill, or  
3 ability test administered by the secretary of state in connection  
4 with the issuance of an original operator's or chauffeur's license,  
5 original motorcycle indorsement, or an original or renewal of a  
6 vehicle group designation or vehicle indorsement.

7 (g) A person who has been convicted of, has received a  
8 juvenile disposition for, or has been determined responsible for 2  
9 or more moving violations under a law of this state, a local  
10 ordinance substantially corresponding to a law of this state, or a  
11 law of another state substantially corresponding to a law of this  
12 state within the preceding 3 years, if the violations occurred  
13 before issuance of an original license to the person in this state,  
14 another state, or another country.

15 (h) A nonresident, including, but not limited to, a foreign  
16 exchange student.

17 (i) A person who has failed to answer a citation or notice to  
18 appear in court or for any matter pending or fails to comply with  
19 an order or judgment of the court, including, but not limited to,  
20 paying all fines, costs, fees, and assessments, in violation of  
21 section 321a, until that person answers the citation or notice to  
22 appear in court or for any matter pending or complies with an order  
23 or judgment of the court, including, but not limited to, paying all  
24 fines, costs, fees, and assessments, as provided under section  
25 321a.

26 (j) A person not licensed under this act who has been  
27 convicted of, has received a juvenile disposition for, or has been

1 determined responsible for a crime or civil infraction described in  
2 section 319, 324, or 904. A person shall be denied a license under  
3 this subdivision for the length of time corresponding to the period  
4 of the licensing sanction that would have been imposed under  
5 section 319, 324, or 904 if the person had been licensed at the  
6 time of the violation.

7 (k) A person not licensed under this act who has been  
8 convicted of or received a juvenile disposition for committing a  
9 crime described in section 319e. A person shall be denied a license  
10 under this subdivision for the length of time that corresponds to  
11 the period of the licensing sanction that would have been imposed  
12 under section 319e if the person had been licensed at the time of  
13 the violation.

14 (l) A person not licensed under this act who is determined to  
15 have violated section 33b(1) of former 1933 (Ex Sess) PA 8, section  
16 703(1) of the Michigan liquor control code of 1998, 1998 PA 58, MCL  
17 436.1703, or section 624a or 624b. The person shall be denied a  
18 license under this subdivision for a period of time that  
19 corresponds to the period of the licensing sanction that would have  
20 been imposed under those sections had the person been licensed at  
21 the time of the violation.

22 (m) A person whose commercial driver license application is  
23 canceled under section 324(2).

24 (n) Unless otherwise eligible under section 307(1), a person  
25 who is not a citizen of the United States.

26 (O) **A PERSON AGAINST WHOM A JUDGMENT IN A CIVIL ACTION ARISING**  
27 **OUT OF A MOTOR VEHICLE ACCIDENT HAS BEEN ENTERED, IF THE JUDGMENT**

1 **HAS NOT BEEN SATISFIED IN FULL.**

2 (2) Upon receiving the appropriate records of conviction, the  
3 secretary of state shall revoke the operator's or chauffeur's  
4 license of a person and deny issuance of an operator's or  
5 chauffeur's license to a person having any of the following,  
6 whether under a law of this state, a local ordinance substantially  
7 corresponding to a law of this state, a law of another state  
8 substantially corresponding to a law of this state, or, beginning  
9 October 31, 2010, a law of the United States substantially  
10 corresponding to a law of this state:

11 (a) Any combination of 2 convictions within 7 years for  
12 reckless driving in violation of section 626 before October 31,  
13 2010 or, beginning October 31, 2010, 626(2).

14 (b) Any combination of 2 or more convictions within 7 years  
15 for any of the following:

16 (i) A felony in which a motor vehicle was used.

17 (ii) A violation or attempted violation of section 601b(2) or  
18 (3), section 601c(1) or (2), section 602a(4) or (5), section 617,  
19 section 653a(3) or (4), or section 904(4) or (5).

20 (iii) Negligent homicide, manslaughter, or murder resulting  
21 from the operation of a vehicle or an attempt to commit any of  
22 those crimes.

23 (iv) A violation or attempted violation of section 479a(4) or  
24 (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

25 (c) Any combination of 2 convictions within 7 years for any of  
26 the following or a combination of 1 conviction for a violation or  
27 attempted violation of section 625(6) and 1 conviction for any of

1 the following within 7 years:

2 (i) A violation or attempted violation of section 625, except  
3 a violation of section 625(2), or a violation of any prior  
4 enactment of section 625 in which the defendant operated a vehicle  
5 while under the influence of intoxicating or alcoholic liquor or a  
6 controlled substance, or a combination of intoxicating or alcoholic  
7 liquor and a controlled substance, or while visibly impaired, or  
8 with an unlawful bodily alcohol content.

9 (ii) A violation or attempted violation of section 625m.

10 (iii) A violation or attempted violation of former section  
11 625b.

12 (d) One conviction for a violation or attempted violation of  
13 section 315(5), section 601b(3), section 601c(2), section 602a(4)  
14 or (5), section 617, section 625(4) or (5), section 653a(4),  
15 section 904(4) or (5), or, beginning October 31, 2010, section  
16 626(3) or (4).

17 (e) One conviction of negligent homicide, manslaughter, or  
18 murder resulting from the operation of a vehicle or an attempt to  
19 commit any of those crimes.

20 (f) One conviction for a violation or attempted violation of  
21 section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL  
22 750.479a.

23 (g) Any combination of 3 convictions within 10 years for any  
24 of the following or 1 conviction for a violation or attempted  
25 violation of section 625(6) and any combination of 2 convictions  
26 for any of the following within 10 years, if any of the convictions  
27 resulted from an arrest on or after January 1, 1992:

1           (i) A violation or attempted violation of section 625, except  
2 a violation of section 625(2), or a violation of any prior  
3 enactment of section 625 in which the defendant operated a vehicle  
4 while under the influence of intoxicating or alcoholic liquor or a  
5 controlled substance, or a combination of intoxicating or alcoholic  
6 liquor and a controlled substance, or while visibly impaired, or  
7 with an unlawful bodily alcohol content.

8           (ii) A violation or attempted violation of section 625m.

9           (iii) A violation or attempted violation of former section  
10 625b.

11           (3) The secretary of state shall revoke a license under  
12 subsection (2) notwithstanding a court order unless the court order  
13 complies with section 323.

14           (4) Except as otherwise provided under section 304, the  
15 secretary of state shall not issue a license under this act to a  
16 person whose license has been revoked under this act or revoked and  
17 denied under subsection (2) until all of the following occur, as  
18 applicable:

19           (a) The later of the following:

20           (i) The expiration of not less than 1 year after the license  
21 was revoked or denied.

22           (ii) The expiration of not less than 5 years after the date of  
23 a subsequent revocation or denial occurring within 7 years after  
24 the date of any prior revocation or denial.

25           (b) For a denial under subsection (2)(a), (b), (c), and (g),  
26 the person rebuts by clear and convincing evidence the presumption  
27 resulting from the prima facie evidence that he or she is a

1 habitual offender. The convictions that resulted in the revocation  
2 and denial constitute prima facie evidence that he or she is a  
3 habitual offender.

4 (c) The person meets the requirements of the department.

5 (5) The secretary of state may deny issuance of an operator's  
6 license as follows:

7 (a) Until the age of 17, to a person not licensed under this  
8 act who was convicted of or received a juvenile disposition for  
9 violating or attempting to violate section 411a(2) of the Michigan  
10 penal code, 1931 PA 328, MCL 750.411a, involving a school when he  
11 or she was less than 14 years of age. A person not issued a license  
12 under this subdivision is not eligible to begin graduated licensing  
13 training until he or she attains 16 years of age.

14 (b) To a person less than 21 years of age not licensed under  
15 this act who was convicted of or received a juvenile disposition  
16 for violating or attempting to violate section 411a(2) of the  
17 Michigan penal code, 1931 PA 328, MCL 750.411a, involving a school  
18 when he or she was 14 years of age or older, until 3 years after  
19 the date of the conviction or juvenile disposition. A person not  
20 issued a license under this subdivision is not eligible to begin  
21 graduated licensing training or otherwise obtain an original  
22 operator's or chauffeur's license until 3 years after the date of  
23 the conviction or juvenile disposition.

24 (6) The secretary of state shall deny issuance of a vehicle  
25 group designation to a person under either of the following  
26 circumstances:

27 (a) The person has been disqualified by the United States

1 secretary of transportation from operating a commercial motor  
2 vehicle.

3 (b) Beginning on and after January 30, 2012, the person does  
4 not meet the requirements of the federal regulations under parts  
5 383 and 391 by refusing to certify the type of commercial motor  
6 vehicle operation the person intends to perform and, if required,  
7 fails to present to the secretary of state a valid medical  
8 certification.

9 (7) Multiple convictions or civil infraction determinations  
10 resulting from the same incident shall be treated as a single  
11 violation for purposes of denial or revocation of a license under  
12 this section.

13 (8) As used in this section, "felony in which a motor vehicle  
14 was used" means a felony during the commission of which the person  
15 operated a motor vehicle and while operating the vehicle presented  
16 real or potential harm to persons or property and 1 or more of the  
17 following circumstances existed:

18 (a) The vehicle was used as an instrument of the felony.

19 (b) The vehicle was used to transport a victim of the felony.

20 (c) The vehicle was used to flee the scene of the felony.

21 (d) The vehicle was necessary for the commission of the  
22 felony.

23 Sec. 304. (1) Except as provided in subsection (3), the  
24 secretary of state shall issue a restricted license to a person  
25 whose license was suspended or restricted under section 319 or  
26 revoked or denied under section 303 based on either of the  
27 following:

1 (a) Two or more convictions for violating section 625(1) or  
2 (3) or a local ordinance of this state substantially corresponding  
3 to section 625(1) or (3).

4 (b) One conviction for violating section 625(1) or (3) or a  
5 local ordinance of this state substantially corresponding to  
6 section 625(1) or (3), preceded by 1 or more convictions for  
7 violating a local ordinance or law of another state substantially  
8 corresponding to section 625(1), (3), or (6), or a law of the  
9 United States substantially corresponding to section 625(1), (3),  
10 or (6).

11 (2) A restricted license issued under subsection (1) must not  
12 be issued until after the person's operator's or chauffeur's  
13 license has been suspended or revoked for 45 days and the judge  
14 assigned to a DWI/sobriety court certifies to the secretary of  
15 state that both of the following conditions have been met:

16 (a) The person has been admitted into a DWI/sobriety court  
17 program.

18 (b) An ignition interlock device approved, certified, and  
19 installed as required under sections 625k and 625l has been  
20 installed on each motor vehicle owned or operated, or both, by the  
21 individual.

22 (3) A restricted license must not be issued under subsection  
23 (1) if the person is otherwise ineligible for an operator's or  
24 chauffeur's license under this act, unless the person's  
25 ineligibility is based on 1 or more of the following:

26 (a) Section 303(1)(i) or (l).

27 (b) Section 303(2)(c)(i) or (iii).



1 (c) Section 303(2)(g)(i) or (iii).

2 (d) Section 319(4), (5), (6), (7), (8)(a) to (e), or (9).

3 (e) Section 319e(2)(a) or (b).

4 (f) Section 320(1)(d).

5 (g) Section 321a(1), (2), or (3).

6 (h) Section 323c.

7 (i) Section 625f.

8 (j) Section 732a(5).

9 (k) Section 904(10).

10 (l) Section 82105a(2) of the natural resources and  
11 environmental protection act, 1994 PA 451, MCL 324.82105a.

12 ~~—— (m) Section 3177 of the insurance code of 1956, 1956 PA 218,~~  
13 ~~MCL 500.3177.~~

14 (M) ~~(n)~~ Section 10 of the motor vehicle **ACCIDENT** claims act,  
15 1965 PA 198, MCL 257.1110.

16 (4) A restricted license issued under subsection (1) permits  
17 the person to whom it is issued to operate only the vehicle  
18 equipped with an ignition interlock device described in subsection  
19 (2)(b), to take any driving skills test required by the secretary  
20 of state, and to drive to and from any combination of the following  
21 locations or events:

22 (a) In the course of the person's employment or occupation if  
23 the employment or occupation does not require a commercial driver  
24 license.

25 (b) To and from any combination of the following:

26 (i) The person's residence.

27 (ii) The person's work location.

- 1           (iii) An alcohol, drug, or mental health education and  
2 treatment as ordered by the court.
- 3           (iv) Alcoholics Anonymous, Narcotics Anonymous, or other  
4 court-ordered self-help programs.
- 5           (v) Court hearings and probation appointments.
- 6           (vi) Court-ordered community service.
- 7           (vii) An educational institution at which the person is  
8 enrolled as a student.
- 9           (viii) A place of regularly occurring medical treatment for a  
10 serious condition or medical emergency for the person or a member  
11 of the person's household or immediate family.
- 12           (ix) Alcohol or drug testing as ordered by the court.
- 13           (x) An ignition interlock service provider as required.
- 14           (xi) At the discretion of the judge, the custodian of a minor  
15 child may drive to and from the facilities of a provider of day  
16 care services at which the custodian's minor child is enrolled, or  
17 an educational institution at which the custodian's minor child is  
18 enrolled as a student for the purposes of classes, academic  
19 meetings or conferences, and athletic or other extracurricular  
20 activities sanctioned by the educational institution in which the  
21 minor child is a participant. As used in this subparagraph, "minor  
22 child" means an individual who is less than 18 years of age.
- 23           (5) While driving with a restricted license, the person shall  
24 carry proof of his or her destination and the hours of any  
25 employment, class, or other reason for traveling and shall display  
26 that proof upon a peace officer's request.
- 27           (6) Except as otherwise provided in this section, a restricted

1 license issued under subsection (1) is effective until a hearing  
2 officer orders an unrestricted license under section 322. Subject  
3 to subsection (7), the hearing officer shall not order an  
4 unrestricted license until the later of the following events  
5 occurs:

6 (a) The court notifies the secretary of state that the person  
7 has successfully completed the DWI/sobriety court program.

8 (b) The minimum period of license sanction that would have  
9 been imposed under section 303 or 319 but for this section has been  
10 completed.

11 (c) The person demonstrates that he or she has operated with  
12 an ignition interlock device for not less than 1 year.

13 (d) The person satisfies the requirements of section 303 and R  
14 257.313 of the Michigan Administrative Code.

15 (7) A hearing officer shall not issue an unrestricted license  
16 for at least 1 year if either of the following applies:

17 (a) The hearing officer determines that the person consumed  
18 any alcohol during the period that his or her license was  
19 restricted under this section, as determined by breath, blood,  
20 urine, or transdermal testing unless a second test, administered  
21 within 5 minutes after administering the first test, showed an  
22 absence of alcohol.

23 (b) The hearing officer determines that the person consumed or  
24 otherwise used any controlled substance during the period that his  
25 or her license was restricted under this section, except as  
26 lawfully prescribed.

27 (8) In determining whether to order an unrestricted license

1 under subsection (6), the successful completion of the DWI/sobriety  
2 court program and a certificate from the DWI/sobriety court judge  
3 must be considered positive evidence of the petitioner's abstinence  
4 while the petitioner participated in the DWI/sobriety court  
5 program. This subsection does not apply to a determination made  
6 under subsection (7). As used in this subsection, "certificate"  
7 includes, but is not limited to, a statement that the participant  
8 has maintained a period of abstinence from alcohol for not less  
9 than 6 months at the time the participant completed the  
10 DWI/sobriety court program.

11 (9) If the secretary of state receives a notification from the  
12 DWI/sobriety court under section 1084(7) of the revised judicature  
13 act of 1961, 1961 PA 236, MCL 600.1084, the secretary of state  
14 shall summarily impose 1 of the following license sanctions, as  
15 applicable:

16 (a) Suspension for the full length of time provided under  
17 section 319(8). However, a restricted license must not be issued as  
18 provided under section 319(8). This subdivision applies if the  
19 underlying conviction or convictions would have subjected the  
20 person to a license sanction under section 319(8) if this section  
21 did not apply.

22 (b) A license revocation and denial for the full length of  
23 time provided under section 303. The minimum period of license  
24 revocation and denial imposed must be the same as if this section  
25 did not apply. This subdivision applies if the underlying  
26 conviction or convictions would have caused a license revocation  
27 and denial under section 303 if this section did not apply.

1 (10) After the person completes the DWI/sobriety court  
2 program, the following apply:

3 (a) The secretary of state shall postpone considering the  
4 issuance of an unrestricted license under section 322 for a period  
5 of 3 months for each act that would be a minor violation if the  
6 person's license had been issued under section 322(6). As used in  
7 this subdivision, "minor violation" means that term as defined in R  
8 257.301a of the Michigan Administrative Code.

9 (b) The restricted license issued under this section must be  
10 suspended or revoked or denied as provided in subsection (9),  
11 unless set aside under section 322(5), if any of the following  
12 events occur:

13 (i) The person operates a motor vehicle without an ignition  
14 interlock device that meets the criteria under subsection (2)(b).

15 (ii) The person removes, or causes to be removed, an ignition  
16 interlock device from a vehicle he or she owns or operates unless  
17 the secretary of state has authorized its removal under section  
18 322a.

19 (iii) The person commits any other act that would be a major  
20 violation if the person's license had been issued under section  
21 322(6). As used in this subparagraph, "major violation" means that  
22 term as defined in R 257.301a of the Michigan Administrative Code.

23 (iv) The person is arrested for a violation of any of the  
24 following:

25 (A) Section 625.

26 (B) A local ordinance of this state or another state  
27 substantially corresponding to section 625.

1 (C) A law of the United States substantially corresponding to  
2 section 625.

3 (c) If the person is convicted of or found responsible for any  
4 offense that requires the suspension, revocation, denial, or  
5 cancellation of the person's operator's or chauffeur's license, the  
6 restricted license issued under this section must be suspended  
7 until the requisite period of license suspension, revocation,  
8 denial, or cancellation, as appropriate, has elapsed.

9 (d) If the person has failed to pay any court-ordered fines or  
10 costs that resulted from the operation of a vehicle, the restricted  
11 license issued under this section must be suspended pending payment  
12 of those fines and costs.

13 (11) All driver responsibility fees required to be assessed by  
14 the secretary of state under section 732a for the conviction or  
15 convictions that led to the restricted license under this section  
16 must be held in abeyance as follows:

17 (a) The fees must be held in abeyance during the time the  
18 person has a restricted license under this section and is  
19 participating in the DWI/sobriety court program.

20 (b) Except as otherwise provided in this subdivision, at the  
21 end of the person's participation in the DWI/sobriety court  
22 program, the driver responsibility fees must be assessed and paid  
23 under the payment schedule described in section 732a. If the  
24 person's participation in the DWI/sobriety court program is  
25 completed on or after October 1, 2018, the driver responsibility  
26 fees are waived and shall not be collected.

27 (12) The vehicle of an individual admitted to the DWI/sobriety

1 court program whose vehicle would otherwise be subject to  
2 immobilization or forfeiture under this act is exempt from both  
3 immobilization and forfeiture under sections 625n and 904d if both  
4 of the following apply:

5 (a) The person is a DWI/sobriety court program participant in  
6 good standing or the person successfully satisfactorily completes  
7 the DWI/sobriety court program.

8 (b) The person does not subsequently violate a law of this  
9 state for which vehicle immobilization or forfeiture is a sanction.

10 (13) This section only applies to individuals arrested for a  
11 violation of section 625 on or after January 1, 2011.

12 (14) As used in this section:

13 (a) "DWI/sobriety court" means that term as defined in section  
14 1084 of the revised judicature act of 1961, 1961 PA 236, MCL  
15 600.1084. Beginning January 1, 2018, DWI/sobriety court includes  
16 only a DWI/sobriety court that is certified by the state court  
17 administrative office as provided in section 1084(3) of the revised  
18 judicature act of 1961, 1961 PA 236, MCL 600.1084.

19 (b) "DWI/sobriety court program" means "program" as that term  
20 is defined in section 1084 of the revised judicature act of 1961,  
21 1961 PA 236, MCL 600.1084.

22 Sec. 307. (1) If an applicant for an operator's license or  
23 chauffeur's license to operate a noncommercial motor vehicle is a  
24 citizen of the United States, the applicant shall supply a  
25 photographic identity document, a birth certificate, or other  
26 sufficient documents as the secretary of state may require, to  
27 verify the identity and citizenship of the applicant. If an

1 applicant for an operator's or chauffeur's license is not a citizen  
2 of the United States, the applicant shall supply a photographic  
3 identity document and other sufficient documents to verify the  
4 identity of the applicant and the applicant's legal presence in the  
5 United States under subdivision (b). The documents required under  
6 this subsection shall include the applicant's full legal name, date  
7 of birth, and address and residency and demonstrate that the  
8 applicant is a citizen of the United States or is legally present  
9 in the United States. If the applicant's full legal name differs  
10 from the name of the applicant that appears on a document presented  
11 under this subsection, the applicant shall present documents to  
12 verify his or her current full legal name. The secretary of state  
13 shall accept as 1 of the required identification documents an  
14 identification card issued by the department of corrections to  
15 prisoners who are placed on parole or released from a correctional  
16 facility, containing the prisoner's legal name, photograph, and  
17 other information identifying the prisoner as provided in section  
18 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237. An  
19 application for an operator's or chauffeur's license shall be made  
20 in a manner prescribed by the secretary of state and shall contain  
21 all of the following:

22 (a) The applicant's full legal name, date of birth, residence  
23 address, height, sex, eye color, signature, intent to make an  
24 anatomical gift, other information required or permitted on the  
25 license under this chapter, and, only to the extent required to  
26 comply with federal law, the applicant's Social Security number.  
27 The applicant may provide a mailing address if the applicant



1 receives mail at an address different from his or her residence  
2 address.

3 (b) If the applicant is not a citizen of the United States,  
4 the applicant shall provide, and the department shall verify,  
5 documents demonstrating his or her legal presence in the United  
6 States. Nothing in this act shall obligate or be construed to  
7 obligate this state to comply with title II of the real ID act of  
8 2005, Public Law 109-13. The secretary of state may adopt rules  
9 under the administrative procedures act of 1969, 1969 PA 306, MCL  
10 24.201 to 24.328, as are necessary for the administration of this  
11 subdivision. A determination by the secretary of state that an  
12 applicant is not legally present in the United States may be  
13 appealed under section 631 of the revised judicature act of 1961,  
14 1961 PA 236, MCL 600.631. The secretary of state shall not issue an  
15 operator's license or a chauffeur's license to an applicant  
16 described in this subdivision for a term that exceeds the duration  
17 of the applicant's legal presence in the United States.

18 (c) The following notice shall be included to inform the  
19 applicant that under sections 509o and 509r of the Michigan  
20 election law, 1954 PA 116, MCL 168.509o and 168.509r, the secretary  
21 of state is required to use the residence address provided on this  
22 application as the applicant's residence address on the qualified  
23 voter file for voter registration and voting:

24 "NOTICE: Michigan law requires that the same address  
25 be used for voter registration and driver license  
26 purposes. Therefore, if the residence address  
27 you provide in this application differs from your

1 voter registration address as it appears on the  
2 qualified voter file, the secretary of state  
3 will automatically change your voter registration  
4 to match the residence address on this application,  
5 after which your voter registration at your former  
6 address will no longer be valid for voting purposes.  
7 A new voter registration card, containing the  
8 information of your polling place, will be provided  
9 to you by the clerk of the jurisdiction where your  
10 residence address is located."

11 (D) THE FOLLOWING NOTICE SHALL BE INCLUDED:

12 "NOTICE: MICHIGAN LAW NO LONGER REQUIRES YOU TO HAVE  
13 AUTOMOBILE INSURANCE. HOWEVER, IT IS STRONGLY RECOMMENDED  
14 THAT YOU CARRY AUTOMOBILE INSURANCE, PARTICULARLY  
15 PERSONAL INJURY LIABILITY INSURANCE, BECAUSE IF YOU ARE  
16 UNABLE TO PAY FOR VEHICLE, PROPERTY, OR BODILY INJURY  
17 DAMAGES ARISING OUT OF A MOTOR VEHICLE ACCIDENT FOR  
18 WHICH A COURT DETERMINES YOU ARE LIABLE, THE SECRETARY  
19 OF STATE WILL NOT ISSUE AN OPERATOR'S LICENSE TO YOU  
20 UNTIL THE JUDGMENT IS SATISFIED. IF YOU HAVE ALREADY  
21 BEEN ISSUED AN OPERATOR'S LICENSE, YOUR OPERATOR'S  
22 LICENSE WILL BE REVOKED FOR 30 DAYS FOR THE FIRST  
23 UNSATISFIED JUDGMENT, 6 MONTHS FOR A SECOND UNSATISFIED  
24 JUDGMENT, AND FOR A THIRD OR SUBSEQUENT UNSATISFIED  
25 JUDGMENT, YOUR OPERATOR'S LICENSE WILL BE REVOKED UNTIL  
26 YOU ARE ABLE TO PAY THE UNSATISFIED JUDGMENT."

27 (E) ~~(d)~~ For an original or renewal operator's or chauffeur's

1 license with a vehicle group designation or indorsement, the names  
2 of all states where the applicant has been licensed to drive any  
3 type of motor vehicle during the previous 10 years.

4 (F) ~~(e)~~—For an operator's or chauffeur's license with a  
5 vehicle group designation or indorsement, the following  
6 certifications by the applicant:

7 (i) The applicant meets the applicable federal driver  
8 qualification requirements under 49 CFR parts 383 and 391 or meets  
9 the applicable qualifications of the department of state police  
10 under the motor carrier safety act of 1963, 1963 PA 181, MCL 480.11  
11 to 480.25.

12 (ii) The vehicle in which the applicant will take the driving  
13 ~~28~~—skills tests is representative of the type of vehicle the  
14 applicant operates or intends to operate.

15 (iii) The applicant is not subject to disqualification by the  
16 United States Secretary of Transportation, or a suspension,  
17 revocation, or cancellation under any state law for conviction of  
18 an offense described in section 312f or 319b.

19 (iv) The applicant does not have a driver's license from more  
20 than 1 state or jurisdiction.

21 (G) ~~(f)~~—An applicant for an operator's or chauffeur's license  
22 with a vehicle group designation and a hazardous material  
23 indorsement shall provide his or her fingerprints as prescribed by  
24 state and federal law.

25 (2) An applicant for an operator's or chauffeur's license may  
26 have his or her image and signature captured or reproduced when the  
27 application for the license is made. The secretary of state shall

1 acquire equipment purchased or leased under this section under  
2 standard purchasing procedures of the department of technology,  
3 management, and budget based on standards and specifications  
4 established by the secretary of state. The secretary of state shall  
5 not purchase or lease equipment until an appropriation for the  
6 equipment has been made by the legislature. A digital photographic  
7 image and signature captured under this section shall appear on the  
8 applicant's operator's license or chauffeur's license. A person's  
9 digital photographic image and signature shall be used as follows:

10 (a) By a federal, state, or local governmental agency for a  
11 law enforcement purpose authorized by law.

12 (b) By the secretary of state for a use specifically  
13 authorized by law.

14 (c) By the secretary of state for forwarding to the department  
15 of state police the images of persons required to be registered  
16 under the sex offenders registration act, 1994 PA 295, MCL 28.721  
17 to 28.736, upon the department of state police providing the  
18 secretary of state an updated list of the names of those persons.

19 (d) By the secretary of state for forwarding to the department  
20 of state police as provided in section 5c of 1927 PA 372, MCL  
21 28.425c.

22 (e) As necessary to comply with a law of this state or of the  
23 United States.

24 (3) An application shall contain a signature or verification  
25 and certification by the applicant, as determined by the secretary  
26 of state, and shall be accompanied by the proper fee. The secretary  
27 of state shall collect the application fee with the application.

1 The secretary of state shall refund the application fee to the  
2 applicant if the license applied for is denied, but shall not  
3 refund the fee to an applicant who fails to complete the  
4 examination requirements of the secretary of state within 90 days  
5 after the date of application for a license.

6 (4) In conjunction with the application for an original or  
7 renewal operator's license or chauffeur's license, the secretary of  
8 state shall do all of the following:

9 (a) If the applicant is not a participant in the anatomical  
10 gift donor registry program, specifically inquire, either orally or  
11 in writing, whether the applicant wishes to participate in the  
12 anatomical gift donor registry program under part 101 of the public  
13 health code, 1978 PA 368, MCL 333.10101 to 333.10123. If the  
14 secretary of state or an employee of the secretary of state fails  
15 to inquire whether an applicant wishes to participate in the  
16 anatomical gift donor registry program as required by this  
17 subdivision, neither the secretary of state nor the employee is  
18 civilly or criminally liable for the failure to make the inquiry.

19 (b) Provide the applicant with all of the following:

20 (i) Information explaining the applicant's right to make an  
21 anatomical gift in the event of death in accordance with section  
22 310.

23 (ii) Information describing the anatomical gift donor registry  
24 program under part 101 of the public health code, 1978 PA 368, MCL  
25 333.10101 to 333.10123. The information required under this  
26 subparagraph includes the address and telephone number of  
27 Michigan's federally designated organ procurement organization as

1 that term is defined in section 10102 of the public health code,  
2 1978 PA 368, MCL 333.10102, or its successor organization.

3 (iii) Information giving the applicant the opportunity to be  
4 placed on the donor registry described in subparagraph (ii).

5 (c) Provide the applicant with the opportunity to specify on  
6 his or her operator's or chauffeur's license that he or she is  
7 willing to make an anatomical gift in the event of death in  
8 accordance with section 310.

9 (d) Inform the applicant that, if he or she indicates to the  
10 secretary of state under this section a willingness to have his or  
11 her name placed on the donor registry described in subdivision  
12 (b) (ii), the secretary of state will mark the applicant's record  
13 for the donor registry.

14 (5) The secretary of state may fulfill the requirements of  
15 subsection (4) by 1 or more of the following methods:

16 (a) Providing printed material enclosed with a mailed notice  
17 for an operator's or chauffeur's license renewal or the issuance of  
18 an operator's or chauffeur's license.

19 (b) Providing printed material to an applicant who personally  
20 appears at a secretary of state branch office, or inquiring orally.

21 (c) Through electronic information transmittals for operator's  
22 and chauffeur's licenses processed by electronic means.

23 (6) The secretary of state shall maintain a record of an  
24 individual who indicates a willingness to have his or her name  
25 placed on the donor registry described in subsection (4) (b) (ii).  
26 Information about an applicant's indication of a willingness to  
27 have his or her name placed on the donor registry that is obtained

1 by the secretary of state under subsection (4) and forwarded under  
2 subsection (14) is exempt from disclosure under section 13(1)(d) of  
3 the freedom of information act, 1976 PA 442, MCL 15.243. The  
4 secretary of state is not required to maintain a record of an  
5 individual who does not indicate a willingness to have his or her  
6 name placed on the donor registry described in subsection  
7 (4)(b)(ii) or an individual who does not respond to an inquiry  
8 under subsection (4)(a).

9 (7) If an application is received from a person previously  
10 licensed in another jurisdiction, the secretary of state shall  
11 request a copy of the applicant's driving record and other  
12 available information from the National Driver Register. When  
13 received, the driving record and other available information become  
14 a part of the driver's record in this state.

15 (8) If a person applies for a commercial learner's permit for  
16 an original vehicle group designation or indorsement to operate a  
17 commercial motor vehicle, the secretary of state may verify the  
18 person's identity, may require proof of Michigan domicile under 49  
19 CFR 383.5, and may verify the person's proof of United States  
20 citizenship or proof of lawful permanent residency as required  
21 under 49 CFR 383.71 and 383.73, if that information is not on the  
22 person's Michigan driving record. If a person applies for a renewal  
23 of an operator's or chauffeur's license to operate a commercial  
24 motor vehicle, the secretary of state may verify the person's  
25 identity, may require proof of Michigan domicile under 49 CFR  
26 383.5, and may verify the person's proof of citizenship or lawful  
27 permanent residency under 49 CFR 383.71 and 383.73, if that

1 information is not on the person's Michigan driving record. If a  
2 person applies for an upgrade of a vehicle group designation or  
3 indorsement, the secretary of state may verify the person's  
4 identity, may require proof of Michigan domicile under 49 CFR  
5 383.5, and may verify the person's proof of citizenship or lawful  
6 permanent residency under 49 CFR 383.71 and 383.73, if that  
7 information is not on the person's Michigan driving record. The  
8 secretary of state shall request the person's complete driving  
9 record from all states where the applicant was previously licensed  
10 to drive any type of motor vehicle over the last 10 years before  
11 issuing a vehicle group designation or indorsement to the  
12 applicant. If the applicant does not hold a valid commercial motor  
13 vehicle driver license from a state where he or she was licensed in  
14 the last 10 years, this complete driving record request must be  
15 made not earlier than 24 hours before the secretary of state issues  
16 the applicant a vehicle group designation or indorsement. For all  
17 other drivers, this request must be made not earlier than 10 days  
18 before the secretary of state issues the applicant a vehicle group  
19 designation or indorsement. If the application is for the renewal  
20 of a vehicle group designation or indorsement, and if the secretary  
21 of state enters on the person's driving record maintained under  
22 section 204a a notation that the request was made and the date of  
23 the request, the secretary of state is required to request the  
24 applicant's complete driving record from other states only once  
25 under this section. The secretary of state shall also check the  
26 applicant's driving record with the National Driver Register and  
27 the federal Commercial Driver's License Information System before



1 issuing that group designation or indorsement.

2 (9) Except for a vehicle group designation or indorsement or  
3 as provided in this subsection or section 314(5), the secretary of  
4 state may issue a renewal operator's or chauffeur's license for 1  
5 additional 4-year period or until the person is no longer  
6 determined to be legally present under this section by mail or by  
7 other methods prescribed by the secretary of state. The secretary  
8 of state may check the applicant's driving record through the  
9 National Driver Register and the Commercial Driver's License  
10 Information System before issuing a license under this section. The  
11 secretary of state shall issue a renewal license only in person if  
12 the person is a person required under section 5a of the sex  
13 offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a  
14 valid operator's or chauffeur's license or official state personal  
15 identification card. If a license is renewed by mail or by other  
16 method, the secretary of state shall issue evidence of renewal to  
17 indicate the date the license expires in the future. The department  
18 of state police shall provide to the secretary of state updated  
19 lists of persons required under section 5a of the sex offenders  
20 registration act, 1994 PA 295, MCL 28.725a, to maintain a valid  
21 operator's or chauffeur's license or official state personal  
22 identification card.

23 (10) Upon request, the secretary of state shall provide an  
24 information manual to an applicant explaining how to obtain a  
25 vehicle group designation or indorsement. The manual shall contain  
26 the information required under 49 CFR part 383.

27 (11) The secretary of state shall not disclose a Social

1 Security number obtained under subsection (1) to another person  
2 except for use for 1 or more of the following purposes:

3 (a) Compliance with 49 USC 31301 to 31317 and regulations and  
4 state law and rules related to this chapter.

5 (b) To carry out the purposes of section 466(a) of the social  
6 security act, 42 USC 666, in connection with matters relating to  
7 paternity, child support, or overdue child support.

8 (c) To check an applicant's driving record through the  
9 National Driver Register and the Commercial Driver's License  
10 Information System when issuing a license under this act.

11 (d) With the department of health and human services, for  
12 comparison with vital records maintained by the department of  
13 health and human services under part 28 of the public health code,  
14 1978 PA 368, MCL 333.2801 to 333.2899.

15 (e) As otherwise required by law.

16 (12) The secretary of state shall not display a person's  
17 Social Security number on the person's operator's or chauffeur's  
18 license.

19 (13) A requirement under this section to include a Social  
20 Security number on an application does not apply to an applicant  
21 who demonstrates that he or she is exempt under law from obtaining  
22 a Social Security number.

23 (14) As required in section 10120 of the public health code,  
24 1978 PA 368, MCL 333.10120, the secretary of state shall maintain  
25 the donor registry in a manner that provides electronic access,  
26 including, but not limited to, the transfer of data to this state's  
27 federally designated organ procurement organization or its

1 successor organization, tissue banks, and eye banks, in a manner  
2 that complies with that section.

3 (15) The secretary of state, with the approval of the state  
4 administrative board created under 1921 PA 2, MCL 17.1 to 17.3, may  
5 enter into agreements with the United States government to verify  
6 whether an applicant for an operator's license or a chauffeur's  
7 license under this section who is not a citizen of the United  
8 States is authorized under federal law to be present in the United  
9 States.

10 (16) The secretary of state shall not issue an operator's  
11 license or a chauffeur's license to a person holding an operator's  
12 license or chauffeur's license issued by another state without  
13 confirmation that the person is terminating or has terminated the  
14 operator's license or chauffeur's license issued by the other  
15 state.

16 (17) The secretary of state shall do all of the following:

17 (a) Ensure the physical security of locations where operator's  
18 licenses and chauffeur's licenses are produced and the security of  
19 document materials and papers from which operator's licenses and  
20 chauffeur's licenses are produced.

21 (b) Subject all persons authorized to manufacture or produce  
22 operator's licenses or chauffeur's licenses and all persons who  
23 have the ability to affect the identity information that appears on  
24 operator's licenses or chauffeur's licenses to appropriate security  
25 clearance requirements. The security requirements of this  
26 subdivision and subdivision (a) may require that licenses be  
27 manufactured or produced in this state.

1 (c) Provide fraudulent document recognition programs to  
2 department of state employees engaged in the issuance of operator's  
3 licenses and chauffeur's licenses.

4 (18) The secretary of state shall have electronic access to  
5 prisoner information maintained by the department of corrections  
6 for the purpose of verifying the identity of a prisoner who applies  
7 for an operator's or chauffeur's license under subsection (1).

8 Sec. 323. (1) A person aggrieved by a final determination of  
9 the secretary of state denying the person an operator's or  
10 chauffeur's license, a vehicle group designation, or an indorsement  
11 on a license or revoking, suspending, or restricting an operator's  
12 or chauffeur's license, vehicle group designation, or an  
13 indorsement may petition for a review of the determination in the  
14 circuit court in the county where the person was arrested if the  
15 denial or suspension was imposed under section 625f or, ~~under the~~  
16 ~~order of a trial court under section 328 or,~~ in all other cases, in  
17 the circuit court in the person's county of residence. The person  
18 shall file the petition within 63 days after the determination is  
19 made except that for good cause shown the court may allow the  
20 person to file petition within 182 days after the determination is  
21 made. As provided in section 625f, a peace officer aggrieved by a  
22 determination of a hearing officer in favor of a person who  
23 requested a hearing under section 625f may, with the prosecuting  
24 attorney's consent, petition for review of the determination in the  
25 circuit court in the county where the arrest was made. The peace  
26 officer shall file the petition within 63 days after the  
27 determination is made except that for good cause shown the court

1 may allow the peace officer to file the petition within 182 days  
2 after the determination is made.

3 (2) Except as otherwise provided in this section, the circuit  
4 court shall enter an order setting the cause for hearing for a day  
5 certain not more than 63 days after the order's date. The order, a  
6 copy of the petition that includes the person's full name, current  
7 address, birth date, and driver's license number, and all  
8 supporting affidavits must be served on the secretary of state's  
9 office in Lansing not less than 20 days before the date set for the  
10 hearing. If the person is seeking a review of the record prepared  
11 under section 322 or section 625f, the service upon the secretary  
12 of state must be made not less than 50 days before the date set for  
13 the hearing.

14 (3) The court may take testimony and examine all the facts and  
15 circumstances relating to the denial, suspension, or restriction of  
16 the person's license under sections 303(1)(d), 320, or 904(10) or  
17 (11), a licensing action under section 310d, or a suspension for a  
18 first violation under section 625f. The court may affirm, modify,  
19 or set aside the restriction, suspension, or denial, except the  
20 court shall not order the secretary of state to issue a restricted  
21 or unrestricted chauffeur's license that would permit the person to  
22 drive a commercial motor vehicle that hauls a hazardous material.  
23 The court shall enter the order and the petitioner shall file a  
24 certified copy of the order with the secretary of state's office in  
25 Lansing within 7 days after entry of the order.

26 (4) Except as otherwise provided in this section, in reviewing  
27 a determination resulting in a denial, suspension, restriction, or

1 revocation under this act, the court shall confine its  
2 consideration to a review of the record prepared under section 322  
3 or 625f or the driving record created under section 204a for a  
4 statutory legal issue, and may determine that the petitioner is  
5 eligible for full driving privileges or, if the petitioner is  
6 subject to a revocation under section 303, may determine that the  
7 petitioner is eligible for restricted driving privileges. The court  
8 shall set aside the secretary of state's determination only if 1 or  
9 more of the following apply:

10 (a) In determining whether a petitioner is eligible for full  
11 driving privileges, the petitioner's substantial rights have been  
12 prejudiced because the determination is any of the following:

13 (i) In violation of the Constitution of the United States, the  
14 state constitution of 1963, or a statute.

15 (ii) In excess of the secretary of state's statutory authority  
16 or jurisdiction.

17 (iii) Made upon unlawful procedure resulting in material  
18 prejudice to the petitioner.

19 (iv) Not supported by competent, material, and substantial  
20 evidence on the whole record.

21 (v) Arbitrary, capricious, or clearly an abuse or unwarranted  
22 exercise of discretion.

23 (vi) Affected by other substantial and material error of law.

24 (b) In determining whether a petitioner is eligible for review  
25 of a revocation or denial under section 303, or whether a  
26 petitioner is eligible for restricted driving privileges, all of  
27 the following apply:

1           (i) The petitioner's substantial rights have been prejudiced  
2 as described in subdivision (a).

3           (ii) All of the following are satisfied:

4           (A) The revocation or denial occurred at least 1 year after  
5 the petitioner's license was revoked or denied, or, if the  
6 petitioner's license was previously revoked or denied within the 7  
7 years preceding the most recent revocation or denial, at least 5  
8 years after the most recent revocation or denial, whichever is  
9 later.

10           (B) The court finds that the petitioner meets the department's  
11 requirements under the rules promulgated by the department under  
12 the administrative procedures act of 1969, 1969 PA 306, MCL 24.201  
13 to 24.238. For purposes of this sub-subparagraph only, the court  
14 may take additional testimony to supplement the record prepared  
15 under section 322 or 625f or the driving record created under  
16 section 204a, but shall not expand the record.

17           (C) If the revocation or denial was under section 303(2)(a),  
18 (b), (c), or (g), the petitioner rebuts by clear and convincing  
19 evidence the presumption that he or she is a habitual offender, and  
20 establishes to the court's satisfaction that he or she is likely to  
21 adhere to any requirements imposed by the court. For purposes of  
22 this sub-subparagraph, the conviction that resulted in the  
23 revocation and any record of denial of reinstatement by the  
24 department are prima facie evidence that the petitioner is a  
25 habitual offender. For purposes of this sub-subparagraph only, the  
26 court may take additional testimony to supplement the record  
27 prepared under section 322 or 625f or the driving record created

1 under section 204a, but shall not expand the record.

2 (5) If the court determines that a petitioner is eligible for  
3 restricted driving privileges under subsection (4)(b), the court  
4 shall issue an order that includes, but is not limited to, all of  
5 the following:

6 (a) The court's findings under section 303 and R 257.1 to R  
7 257.1727 of the Michigan Administrative Code.

8 (b) A requirement that each motor vehicle operated by the  
9 petitioner be equipped with a properly installed and functioning  
10 ignition interlock device for a period of not less than 1 year  
11 before the petitioner will be eligible to return to the secretary  
12 of state for a hearing. The petitioner shall bear the cost of an  
13 ignition interlock device required under this subdivision. A  
14 restricted license must not be issued to the petitioner until the  
15 secretary of state has verified that 1 or more ignition interlock  
16 devices, if applicable, have been installed as required by this  
17 subdivision.

18 ~~—— (c) A method by which the court will verify that the~~  
19 ~~petitioner maintains no fault insurance for each vehicle described~~  
20 ~~in subdivision (b) as required by chapter 31 of the insurance code~~  
21 ~~of 1956, 1956 PA 218, MCL 500.3101 to 500.3179.~~

22 (C) ~~(d)~~ A requirement that a restricted license issued to the  
23 petitioner must not permit the petitioner to operate a commercial  
24 motor vehicle that hauls hazardous materials.

25 (D) ~~(e)~~ A provision that the secretary of state shall revoke  
26 the petitioner's restricted license if any of the following occur:

27 (i) The petitioner violates the restrictions on his or her



1 license.

2 (ii) The petitioner violates subdivision (b).

3 (iii) The petitioner removes, or causes to be removed, an  
4 ignition interlock device required under subdivision (b), unless  
5 the secretary of state has authorized the removal under section  
6 322a.

7 (iv) The petitioner commits an act that would be a major  
8 violation if the petitioner's license had been issued under section  
9 322(6) or consumes alcohol or a controlled substance without a  
10 prescription. As used in this subparagraph, "major violation" means  
11 that term as defined in R 257.301a of the Michigan Administrative  
12 Code.

13 (v) The petitioner is arrested for a violation of section 625  
14 or a local ordinance, law of this state or another state, or law of  
15 the United States that substantially corresponds to section 625.

16 (6) If the court determines that a petitioner is eligible for  
17 restricted driving privileges under this section and the petitioner  
18 intends to operate a vehicle owned by his or her employer, the  
19 court shall notify the employer of the petitioner's obligation  
20 under subsection (5)(b). This subsection does not require an  
21 employer who receives a notice under this subsection to install an  
22 ignition interlock device on a vehicle. This subsection does not  
23 apply to a vehicle that is operated by a self-employed individual  
24 who uses the vehicle for both business and personal use.

25 (7) If a court determines that a petitioner is eligible for  
26 restricted driving privileges, the secretary of state shall not  
27 issue a restricted license to the petitioner until he or she has

1 satisfied any other applicable requirements of state or federal  
 2 law, and shall not issue a restricted license to the petitioner if  
 3 the order granting eligibility for restricted driving privileges  
 4 does not comply with subsection (5).

5 (8) If a court determines that a petitioner is eligible for  
 6 restricted driving privileges, the court shall notify the  
 7 department of its determination through the issuance of an order  
 8 under subsection (5) and shall not retain jurisdiction over a  
 9 license issued under this section.

10 Sec. 512. (1) ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (2), THE**  
 11 secretary of state upon receipt of a certified abstract of court  
 12 record of a judgment rendered in this state or any other state  
 13 shall ~~forthwith~~ suspend the license and registration and any  
 14 nonresident's operating privilege of ~~any~~ **A** person against whom ~~such~~  
 15 **THE** judgment was rendered, except as otherwise provided in this  
 16 chapter.

17 (2) **THE SECRETARY OF STATE SHALL, UPON RECEIPT OF A CERTIFIED**  
 18 **ABSTRACT OF COURT RECORD OF A JUDGMENT ENTERED IN THIS STATE IN A**  
 19 **CIVIL ACTION ARISING OUT OF A MOTOR VEHICLE ACCIDENT, REVOKE THE**  
 20 **DRIVING PRIVILEGES OF THE INDIVIDUAL AGAINST WHOM THE JUDGMENT WAS**  
 21 **ENTERED IF THE COURT DETERMINES THAT THE INDIVIDUAL DID NOT HAVE**  
 22 **SUFFICIENT INSURANCE COVERAGE TO PAY THE AMOUNT OF THE JUDGMENT**  
 23 **AGAINST HIM OR HER, SUBJECT TO THE FOLLOWING:**

24 (A) **FOR THE FIRST JUDGMENT AGAINST AN INDIVIDUAL DESCRIBED IN**  
 25 **THIS SUBSECTION, THE SECRETARY OF STATE SHALL REVOKE HIS OR HER**  
 26 **DRIVING PRIVILEGES FOR 30 DAYS.**

27 (B) **FOR A SECOND JUDGMENT AGAINST AN INDIVIDUAL DESCRIBED IN**

1 THIS SUBSECTION, THE SECRETARY OF STATE SHALL REVOKE HIS OR HER  
2 DRIVING PRIVILEGES FOR 6 MONTHS.

3 (C) FOR A THIRD AND EACH SUBSEQUENT JUDGMENT AGAINST AN  
4 INDIVIDUAL DESCRIBED IN THIS SUBSECTION, THE SECRETARY OF STATE  
5 SHALL REVOKE HIS OR HER DRIVING PRIVILEGES UNTIL THE INDIVIDUAL HAS  
6 PAID THE OUTSTANDING JUDGMENT AGAINST HIM OR HER IN FULL.

7 Sec. 512a. (1) ~~No~~ ~~THE SECRETARY OF STATE SHALL NOT SUSPEND THE~~  
8 license, registration, or nonresident's operating privilege of any  
9 person ~~shall be suspended under the provisions of this chapter if~~  
10 the secretary of state finds that an insurer was obligated to pay  
11 the judgment upon which the suspension is based, at least to the  
12 extent and for the amounts required in this chapter, but has not  
13 paid the judgment for any reason. A finding by the secretary of  
14 state that an insurer is obligated to pay a judgment is not binding  
15 upon the insurer and ~~shall have~~ **HAS** no legal effect ~~whatever~~ ~~except~~  
16 for the purpose of administering this section. ~~Whenever in any~~  
17 ~~judicial proceedings~~ **IF** it is determined **IN A JUDICIAL PROCEEDING**  
18 by ~~any~~ **A** final judgment, decree, or order that an insurer is not  
19 obligated to pay ~~any~~ **A** judgment, the secretary of state,  
20 notwithstanding any ~~contrary~~ ~~finding theretofore~~ **TO THE CONTRARY**  
21 made by him **OR HER**, shall ~~forthwith~~ ~~suspend as provided in section~~  
22 ~~512~~ the license and registration and any nonresident's operating  
23 privilege of any person against whom the judgment was rendered **AS**  
24 **PROVIDED IN SECTION 512.**

25 (2) **THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL DESCRIBED IN**  
26 **SECTION 512(2).**

27 Sec. 513. (1) ~~(a) The~~ ~~A~~ license, registration, and ~~OR~~

1 nonresident's operating privilege **SUSPENDED UNDER SECTION 512** shall  
 2 remain ~~se~~-suspended and shall not be renewed, nor shall ~~any~~**A**  
 3 license or registration be ~~thereafter~~-issued in the name of the  
 4 person, including any person not previously licensed, unless and  
 5 until the judgment is satisfied in full or he **OR SHE** files an  
 6 installment repayment agreement as provided in section 515 and,  
 7 notwithstanding the provisions of section 528, maintains proof of  
 8 financial responsibility as provided in section 517 until the  
 9 judgment is satisfied in full.

10 (2) ~~(b) Judgments shall be deemed to be~~ **A JUDGMENT IS**  
 11 satisfied in full under this section if not renewed prior to the  
 12 expiration of the statute of limitations.

13 (3) **THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL DESCRIBED IN**  
 14 **SECTION 512.**

15 Sec. 518b. (1) All of the following types of automobile  
 16 insurance satisfy the financial responsibility requirements of this  
 17 chapter:

18 (a) During the time that a transportation network company  
 19 driver is logged on to the transportation network company's digital  
 20 network and is available to receive transportation requests but is  
 21 not engaged in a transportation network company prearranged ride,  
 22 all of the following types of automobile insurance:

23 (i) Residual third party automobile liability insurance as  
 24 ~~required under~~**DESCRIBED IN** chapter 31 of the insurance code of  
 25 1956, 1956 PA 218, MCL 500.3101 to 500.3179, in the amount of at  
 26 least \$50,000.00 per person for death or bodily injury, \$100,000.00  
 27 per incident for death or bodily injury, and \$25,000.00 for

1 property damage.

2 (ii) Personal protection insurance and property protection  
3 insurance in the amounts and of the types of coverage ~~required by~~  
4 **DESCRIBED IN** chapter 31 of the insurance code of 1956, 1956 PA 218,  
5 MCL 500.3101 to 500.3179.

6 (b) During the time that a transportation network company  
7 driver is engaged in a transportation network company prearranged  
8 ride, all of the following types of automobile insurance:

9 (i) Residual third party automobile liability insurance with a  
10 minimum combined single limit of \$1,000,000.00 for all bodily  
11 injury or property damage.

12 (ii) Personal protection insurance and property protection  
13 insurance in the amounts and of the types of coverage ~~required by~~  
14 **DESCRIBED IN** chapter 31 of the insurance code of 1956, 1956 PA 218,  
15 MCL 500.3101 to 500.3179.

16 (2) This section only applies to automobile insurance obtained  
17 by a transportation network company driver or a transportation  
18 network company.

19 **SEC. 623A. (1) INFORMATION COLLECTED BY AN EVENT DATA RECORDER**  
20 **IS ADMISSIBLE AS EVIDENCE IN A CIVIL ACTION ARISING OUT OF A MOTOR**  
21 **VEHICLE ACCIDENT.**

22 (2) AS USED IN THIS SECTION, "EVENT DATA RECORDER" MEANS THAT  
23 TERM AS DEFINED IN 49 CFR 563.5.

24 **SEC. 623B. IN A CIVIL ACTION ARISING OUT OF A MOTOR VEHICLE**  
25 **ACCIDENT, RECOVERY FOR MEDICAL EXPENSES ARISING OUT OF THE ACCIDENT**  
26 **SHALL BE BASED UPON THIRD-PARTY REIMBURSEMENT RATES AS RECOMMENDED**  
27 **BY AN INDEPENDENT THIRD-PARTY ORGANIZATION EVALUATING THE ACTUAL**

1 COSTS OF HEALTHCARE SERVICES IN THIS STATE.

2 SEC. 623C. A CLAIM FOR DAMAGES ARISING OUT OF A MOTOR VEHICLE  
3 ACCIDENT SHALL BE FILED IN THE ACCIDENT SPECIALTY COURT WITH  
4 JURISDICTION OVER THE CLAIM, IF AN ACCIDENT SPECIALTY COURT IS  
5 CREATED UNDER STATE LAW ENACTED ON OR AFTER THE EFFECTIVE DATE OF  
6 THE AMENDATORY ACT THAT ADDED THIS SECTION.

7 Sec. 657a. (1) A village or city having a population of fewer  
8 than 30,000 individuals based upon the 2010 decennial census may by  
9 resolution allow the operation of golf carts on the streets of that  
10 village or city, subject to the requirements of this section. A  
11 township having a population of fewer than 30,000 individuals based  
12 upon the 2010 decennial census may by resolution, unless  
13 disapproved by the county board of commissioners under subsection  
14 (3), allow the operation of golf carts on the streets of that  
15 township, subject to the requirements of this section.

16 (2) If a village, city, or township allows the operation of  
17 golf carts on the streets of that village, city, or township, that  
18 village, city, or township may require those golf carts and the  
19 operators of those golf carts to be recorded on a list maintained  
20 by that village, city, or township. A village, city, or township  
21 shall not charge a fee for listing golf carts or the operators of  
22 those golf carts.

23 (3) A county board of commissioners may, by resolution,  
24 disapprove the operation of golf carts on the streets of a township  
25 located within that county if the county board of commissioners  
26 conducts a hearing and determines that 1 or more of the following  
27 apply:

1 (a) The operation of golf carts on the streets of that  
2 township would cause significant environmental damage.

3 (b) The operation of golf carts on the streets of that  
4 township would cause a significant concern of public safety.

5 (4) The county board of commissioners shall provide public  
6 notice of a hearing under subsection (3) at least 45 days before  
7 the hearing is conducted. The county board of commissioners shall  
8 also provide written notice of a hearing under subsection (3) to  
9 the township at least 45 days before the hearing is conducted.

10 (5) A person shall not operate a golf cart on any street  
11 unless he or she is at least 16 years old and is licensed to  
12 operate a motor vehicle.

13 (6) The operator of a golf cart shall comply with the signal  
14 requirements of section 648 that apply to the operation of a  
15 vehicle.

16 (7) A person operating a golf cart upon a roadway shall ride  
17 as near to the right side of the roadway as practicable, exercising  
18 due care when passing a standing vehicle or a vehicle proceeding in  
19 the same direction.

20 (8) Except as otherwise provided in subsection (9), a person  
21 shall not operate a golf cart on a state trunk line highway. This  
22 subsection does not prohibit a person from crossing a state trunk  
23 line highway when operating a golf cart on a street of a village,  
24 city, or township, using the most direct line of crossing.

25 (9) The legislative body of a local unit of government may  
26 request the state transportation department to authorize the local  
27 unit of government to adopt an ordinance authorizing the operation

1 of golf carts on a state trunk line highway, other than an  
2 interstate highway, located within the local unit of government.  
3 The request shall describe how the authorization would meet the  
4 requirements of subsection (10). The state transportation  
5 department shall solicit comment on the request from the local  
6 units of government where the state trunk line highway is located.  
7 The state transportation department shall consider comments  
8 received on the request before making a decision on the request.  
9 The state transportation department shall grant the request in  
10 whole or in part or deny the request not more than 60 days after  
11 the request is received. If the state transportation department  
12 grants a request in whole or in part under this subsection, the  
13 local unit of government that submitted the request may adopt an  
14 ordinance authorizing the operation of golf carts on the state  
15 trunk line highway that was the subject of the request. A county  
16 may submit a request for authorization under this subsection on  
17 behalf of 1 or more local units of government located within that  
18 county if requested by those local units of government.

19 (10) The state transportation department shall authorize  
20 operation of a golf cart under subsection (9) only on a state trunk  
21 line highway that is not an interstate highway within a local unit  
22 of government that has already adopted an ordinance under  
23 subsection (1), that serves as a connector between portions of the  
24 local unit of government that only connect through the state trunk  
25 line highway, and that meets 1 or more of the following  
26 requirements:

27 (a) Provides access to tourist attractions, food service



1 establishments, fuel, motels, or other services.

2 (b) Serves as a connector between 2 segments of the same  
3 county road that run along discontinuous town lines.

4 (c) Includes a bridge or culvert that allows a golf cart to  
5 cross a river, stream, wetland, or gully that is not crossed by a  
6 street or county road on which golf carts are authorized to operate  
7 under an ordinance adopted as provided in subsection (1).

8 (11) The state transportation department may permanently or  
9 temporarily close a state trunk line highway to the operation of  
10 golf carts otherwise authorized under subsection (9) after written  
11 notice to the clerk of the local unit of government that requested  
12 the authorization under subsection (9). The notice shall be in  
13 writing and sent by first-class United States mail or personally  
14 delivered not less than 30 days before the adoption of the rule or  
15 order closing the state trunk line highway. The notice shall set  
16 forth specific reasons for the closure. The state transportation  
17 department is not required to develop a plan for an alternate route  
18 for a state trunk line highway that it has temporarily closed to  
19 the operation of golf carts.

20 (12) Where a usable and designated path for golf carts is  
21 provided adjacent to a highway or street, a person operating a golf  
22 cart may, by local ordinance, be required to use that path.

23 (13) A person operating a golf cart shall not pass between  
24 lines of traffic, but may pass on the left of traffic moving in his  
25 or her direction in the case of a 2-way street or on the left or  
26 right of traffic in the case of a 1-way street, in an unoccupied  
27 lane.

1 (14) A golf cart shall not be operated on a sidewalk  
2 constructed for the use of pedestrians.

3 (15) A golf cart shall be operated at a speed not to exceed 15  
4 miles per hour and shall not be operated on a state trunk line  
5 highway or a highway or street with a speed limit of more than 30  
6 miles per hour except to cross that state trunk line highway or  
7 highway or street. A village, city, or township may, by resolution,  
8 designate roads or classifications of roads for use by golf carts  
9 under this subsection.

10 (16) A golf cart shall not be operated on a state trunk line  
11 highway or the streets of a city, village, or township during the  
12 time period from 1/2 hour before sunset to 1/2 hour after sunrise.

13 (17) A person operating a golf cart or who is a passenger in a  
14 golf cart is not required to wear a crash helmet.

15 (18) A person operating a golf cart on a state trunk line  
16 highway shall ride as near to the right side of the roadway as  
17 practicable.

18 (19) This section does not apply to a police officer in the  
19 performance of his or her official duties.

20 ~~————(20) A golf cart operated on a street of a village, city, or~~  
21 ~~township under this section is not required to be registered under~~  
22 ~~this act for purposes of section 3101 of the insurance code of~~  
23 ~~1956, 1956 PA 218, MCL 500.3101.~~

24 (20) ~~(21)~~As used in this section, "golf cart" means a vehicle  
25 designed for transportation while playing the game of golf. A  
26 village, city, or township may require a golf cart registered  
27 within its jurisdiction to meet any or all of the following vehicle

1 safety requirements of a low-speed vehicle for approval under this  
2 section:

3 (a) At least 2 headlamps that comply with section 685.

4 (b) At least 1 tail lamp that complies with section 686.

5 (c) At least 1 stop lamp and 1 lamp or mechanical signal  
6 device that comply with sections 697 and 697b.

7 (d) At least 1 red reflector on each side of the golf cart as  
8 far to the rear as practicable and 1 red reflector on the rear of  
9 the golf cart as required for low-speed vehicles by 49 CFR 571.500.

10 (e) One exterior mirror mounted on the driver's side of the  
11 golf cart and either 1 exterior mirror mounted on the passenger  
12 side of the golf cart or 1 interior mirror as required for low-  
13 speed vehicles by 49 CFR 571.500.

14 (f) Brakes and a parking brake that comply with section 704.

15 (g) A horn that complies with section 706.

16 (h) A windshield that complies with section 708a.

17 (i) A manufacturer's identification number permanently affixed  
18 to the frame of the golf cart.

19 (j) Safety belts that comply with section 710a and that are  
20 used as required by section 710e.

21 (k) The crash helmet requirements applicable to low-speed  
22 vehicles under section 658b.

23 Sec. 732. (1) Each municipal judge and each clerk of a court  
24 of record shall keep a full record of every case in which a person  
25 is charged with or cited for a violation of this act or a local  
26 ordinance substantially corresponding to this act regulating the  
27 operation of vehicles on highways and with those offenses

1 pertaining to the operation of ORVs or snowmobiles for which points  
2 are assessed under section 320a(1)(c) or (i). Except as provided in  
3 subsection (16), the municipal judge or clerk of the court of  
4 record shall prepare and forward to the secretary of state an  
5 abstract of the court record as follows:

6 (a) Not more than 5 days after a conviction, forfeiture of  
7 bail, or entry of a civil infraction determination or default  
8 judgment upon a charge of or citation for violating or attempting  
9 to violate this act or a local ordinance substantially  
10 corresponding to this act regulating the operation of vehicles on  
11 highways.

12 (b) Immediately for each case charging a violation of section  
13 625(1), (3), (4), (5), (6), (7), or (8) or section 625m or a local  
14 ordinance substantially corresponding to section 625(1), (3), (6),  
15 or (8) or section 625m in which the charge is dismissed or the  
16 defendant is acquitted.

17 (c) Immediately for each case charging a violation of section  
18 82127(1) or (3) or 81134 of the natural resources and environmental  
19 protection act, 1994 PA 451, MCL 324.82127 and 324.81134, or a  
20 local ordinance substantially corresponding to those sections.

21 (2) If a city or village department, bureau, or person is  
22 authorized to accept a payment of money as a settlement for a  
23 violation of a local ordinance substantially corresponding to this  
24 act, the city or village department, bureau, or person shall send a  
25 full report of each case in which a person pays any amount of money  
26 to the city or village department, bureau, or person to the  
27 secretary of state upon a form prescribed by the secretary of

1 state.

2 (3) The abstract or report required under this section shall  
3 be made upon a form furnished by the secretary of state. An  
4 abstract shall be certified by signature, stamp, or facsimile  
5 signature of the person required to prepare the abstract as  
6 correct. An abstract or report shall include all of the following:

7 (a) The name, address, and date of birth of the person charged  
8 or cited.

9 (b) The number of the person's operator's or chauffeur's  
10 license, if any.

11 (c) The date and nature of the violation.

12 (d) The type of vehicle driven at the time of the violation  
13 and, if the vehicle is a commercial motor vehicle, that vehicle's  
14 group designation.

15 (e) The date of the conviction, finding, forfeiture, judgment,  
16 or civil infraction determination.

17 (f) Whether bail was forfeited.

18 (g) Any license restriction, suspension, or denial ordered by  
19 the court as provided by law.

20 (h) The vehicle identification number and registration plate  
21 number of all vehicles that are ordered immobilized or forfeited.

22 (i) Other information considered necessary to the secretary of  
23 state.

24 (4) The clerk of the court also shall forward an abstract of  
25 the court record to the secretary of state upon a person's  
26 conviction or, for the purposes of subdivision (d), a finding or  
27 admission of responsibility, involving any of the following:

1 (a) A violation of section 413, 414, or 479a of the Michigan  
2 penal code, 1931 PA 328, MCL 750.413, 750.414, and 750.479a.

3 (b) A violation of section 1 of former 1931 PA 214.

4 (c) Negligent homicide, manslaughter, or murder resulting from  
5 the operation of a vehicle.

6 (d) A violation of sections 701(1) and 703 of the Michigan  
7 liquor control code of 1998, 1998 PA 58, MCL 436.1701 and 436.1703,  
8 or a local ordinance substantially corresponding to those sections.

9 (e) A violation of section 411a(2) of the Michigan penal code,  
10 1931 PA 328, MCL 750.411a.

11 (f) A violation of motor carrier safety regulations 49 CFR  
12 392.10 or 392.11 as adopted by section 1a of the motor carrier  
13 safety act of 1963, 1963 PA 181, MCL 480.11a.

14 (g) A violation of section 57 of the pupil transportation act,  
15 1990 PA 187, MCL 257.1857.

16 (h) An attempt to violate, a conspiracy to violate, or a  
17 violation of part 74 of the public health code, 1978 PA 368, MCL  
18 333.7401 to 333.7461, or a local ordinance that prohibits conduct  
19 prohibited under part 74 of the public health code, 1978 PA 368,  
20 MCL 333.7401 to 333.7461, unless the convicted person is sentenced  
21 to life imprisonment or a minimum term of imprisonment that exceeds  
22 1 year for the offense.

23 (i) An attempt to commit an offense described in subdivisions  
24 (a) to (g).

25 (j) A violation of chapter LXXXIII-A of the Michigan penal  
26 code, 1931 PA 328, MCL 750.543a to 750.543z.

27 (k) A violation of section ~~3101, 3102(1), or 3103~~ of the

1 insurance code of 1956, 1956 PA 218, MCL ~~500.3101, 500.3102,~~ and  
2 500.3103.

3 (l) A violation listed as a disqualifying offense under 49 CFR  
4 383.51.

5 (5) The clerk of the court shall also forward an abstract of  
6 the court record to the secretary of state if a person has pled  
7 guilty to, or offered a plea of admission in a juvenile proceeding  
8 for, a violation of section 703 of the Michigan liquor control code  
9 of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance  
10 substantially corresponding to that section, and has had further  
11 proceedings deferred under that section. If the person is sentenced  
12 to a term of probation and terms and conditions of probation are  
13 fulfilled and the court discharges the individual and dismisses the  
14 proceedings, the court shall also report the dismissal to the  
15 secretary of state.

16 (6) As used in subsections (7) to (9), "felony in which a  
17 motor vehicle was used" means a felony during the commission of  
18 which the person operated a motor vehicle and while operating the  
19 vehicle presented real or potential harm to persons or property and  
20 1 or more of the following circumstances existed:

21 (a) The vehicle was used as an instrument of the felony.

22 (b) The vehicle was used to transport a victim of the felony.

23 (c) The vehicle was used to flee the scene of the felony.

24 (d) The vehicle was necessary for the commission of the  
25 felony.

26 (7) If a person is charged with a felony in which a motor  
27 vehicle was used, other than a felony specified in subsection (4)

1 or section 319, the prosecuting attorney shall include the  
2 following statement on the complaint and information filed in  
3 district or circuit court:

4 "You are charged with the commission of a felony in which a  
5 motor vehicle was used. If you are convicted and the judge finds  
6 that the conviction is for a felony in which a motor vehicle was  
7 used, as defined in section 319 of the Michigan vehicle code, 1949  
8 PA 300, MCL 257.319, your driver's license shall be suspended by  
9 the secretary of state."

10 (8) If a juvenile is accused of an act, the nature of which  
11 constitutes a felony in which a motor vehicle was used, other than  
12 a felony specified in subsection (4) or section 319, the  
13 prosecuting attorney or family division of circuit court shall  
14 include the following statement on the petition filed in the court:

15 "You are accused of an act the nature of which constitutes a  
16 felony in which a motor vehicle was used. If the accusation is  
17 found to be true and the judge or referee finds that the nature of  
18 the act constitutes a felony in which a motor vehicle was used, as  
19 defined in section 319 of the Michigan vehicle code, 1949 PA 300,  
20 MCL 257.319, your driver's license shall be suspended by the  
21 secretary of state."

22 (9) If the court determines as part of the sentence or  
23 disposition that the felony for which the person was convicted or  
24 adjudicated and with respect to which notice was given under  
25 subsection (7) or (8) is a felony in which a motor vehicle was  
26 used, the clerk of the court shall forward an abstract of the court  
27 record of that conviction to the secretary of state.



1           (10) As used in subsections (11) and (12), "felony in which a  
2 commercial motor vehicle was used" means a felony during the  
3 commission of which the person operated a commercial motor vehicle  
4 and while the person was operating the vehicle 1 or more of the  
5 following circumstances existed:

6           (a) The vehicle was used as an instrument of the felony.

7           (b) The vehicle was used to transport a victim of the felony.

8           (c) The vehicle was used to flee the scene of the felony.

9           (d) The vehicle was necessary for the commission of the  
10 felony.

11           (11) If a person is charged with a felony in which a  
12 commercial motor vehicle was used and for which a vehicle group  
13 designation on a license is subject to suspension or revocation  
14 under section 319b(1)(c)(iii), 319b(1)(d), 319b(1)(e)(iii), or  
15 319b(1)(f)(i), the prosecuting attorney shall include the following  
16 statement on the complaint and information filed in district or  
17 circuit court:

18           "You are charged with the commission of a felony in which a  
19 commercial motor vehicle was used. If you are convicted and the  
20 judge finds that the conviction is for a felony in which a  
21 commercial motor vehicle was used, as defined in section 319b of  
22 the Michigan vehicle code, 1949 PA 300, MCL 257.319b, all vehicle  
23 group designations on your driver's license shall be suspended or  
24 revoked by the secretary of state."

25           (12) If the judge determines as part of the sentence that the  
26 felony for which the defendant was convicted and with respect to  
27 which notice was given under subsection (11) is a felony in which a

1 commercial motor vehicle was used, the clerk of the court shall  
2 forward an abstract of the court record of that conviction to the  
3 secretary of state.

4 (13) Every person required to forward abstracts to the  
5 secretary of state under this section shall certify for the period  
6 from January 1 through June 30 and for the period from July 1  
7 through December 31 that all abstracts required to be forwarded  
8 during the period have been forwarded. The certification shall be  
9 filed with the secretary of state not later than 28 days after the  
10 end of the period covered by the certification. The certification  
11 shall be made upon a form furnished by the secretary of state and  
12 shall include all of the following:

13 (a) The name and title of the person required to forward  
14 abstracts.

15 (b) The court for which the certification is filed.

16 (c) The time period covered by the certification.

17 (d) The following statement:

18 "I certify that all abstracts required by section 732 of the  
19 Michigan vehicle code, MCL 257.732; MSA 9.2432, for the period  
20 \_\_\_\_\_ through \_\_\_\_\_ have been forwarded to the  
21 secretary of state."

22 (e) Other information the secretary of state considers  
23 necessary.

24 (f) The signature of the person required to forward abstracts.

25 (14) The failure, refusal, or neglect of a person to comply  
26 with this section constitutes misconduct in office and is grounds  
27 for removal from office.

1           (15) Except as provided in subsection (16), the secretary of  
2 state shall keep all abstracts received under this section at the  
3 secretary of state's main office and the abstracts shall be open  
4 for public inspection during the office's usual business hours.  
5 Each abstract shall be entered upon the master driving record of  
6 the person to whom it pertains.

7           (16) Except for controlled substance offenses described in  
8 subsection (4), the court shall not submit, and the secretary of  
9 state shall discard and not enter on the master driving record, an  
10 abstract for a conviction or civil infraction determination for any  
11 of the following violations:

12           (a) The parking or standing of a vehicle.

13           (b) A nonmoving violation that is not the basis for the  
14 secretary of state's suspension, revocation, or denial of an  
15 operator's or chauffeur's license.

16           (c) A violation of chapter II that is not the basis for the  
17 secretary of state's suspension, revocation, or denial of an  
18 operator's or chauffeur's license.

19           (d) A pedestrian, passenger, or bicycle violation, other than  
20 a violation of section 703(1) or (2) of the Michigan liquor control  
21 code of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance  
22 substantially corresponding to section 703(1) or (2) of the  
23 Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or  
24 section 624a or 624b or a local ordinance substantially  
25 corresponding to section 624a or 624b.

26           (e) A violation of section 710e or a local ordinance  
27 substantially corresponding to section 710e.

1 ~~—— (f) A violation of section 328(1) if, before the appearance~~  
2 ~~date on the citation, the person submits proof to the court that~~  
3 ~~the motor vehicle had insurance meeting the requirements of~~  
4 ~~sections 3101 and 3102 of the insurance code of 1956, 1956 PA 218,~~  
5 ~~MCL 500.3101 and 500.3102, at the time the citation was issued.~~  
6 ~~Insurance obtained subsequent to the time of the violation does not~~  
7 ~~make the violation an exception under this subsection.~~

8 (F) ~~(g)~~ A violation described in section 319b(10)(b)(vii) if,  
9 before the court appearance date or date fines are to be paid, the  
10 person submits proof to the court that he or she held a valid  
11 commercial driver license on the date the citation was issued.

12 (G) ~~(h)~~ A violation of section 311 if the person was driving a  
13 noncommercial vehicle and, before the court appearance date or the  
14 date fines are to be paid, the person submits proof to the court  
15 that he or she held a valid driver license on the date the citation  
16 was issued.

17 (H) ~~(i)~~ A violation of section 602b(1) or 602c.

18 (17) Except as otherwise provided in this subsection, the  
19 secretary of state shall discard and not enter on the master  
20 driving record an abstract for a bond forfeiture that occurred  
21 outside this state. The secretary of state shall enter on the  
22 master driving record an abstract for a conviction as defined in  
23 section 8a(b) that occurred outside this state in connection with  
24 the operation of a commercial motor vehicle or for a conviction of  
25 a person licensed as a commercial motor vehicle driver.

26 (18) The secretary of state shall inform the courts of this  
27 state of the nonmoving violations and violations of chapter II that

1 are used by the secretary of state as the basis for the suspension,  
2 restriction, revocation, or denial of an operator's or chauffeur's  
3 license.

4 (19) If a conviction or civil infraction determination is  
5 reversed upon appeal, the person whose conviction or determination  
6 has been reversed may serve on the secretary of state a certified  
7 copy of the order of reversal. The secretary of state shall enter  
8 the order in the proper book or index in connection with the record  
9 of the conviction or civil infraction determination.

10 (20) The secretary of state may permit a city or village  
11 department, bureau, person, or court to modify the requirement as  
12 to the time and manner of reporting a conviction, civil infraction  
13 determination, or settlement to the secretary of state if the  
14 modification will increase the economy and efficiency of collecting  
15 and utilizing the records. If the permitted abstract of court  
16 record reporting a conviction, civil infraction determination, or  
17 settlement originates as a part of the written notice to appear,  
18 authorized in section 728(1) or 742(1), the form of the written  
19 notice and report shall be as prescribed by the secretary of state.

20 (21) Notwithstanding any other law of this state, a court  
21 shall not take under advisement an offense committed by a person  
22 while operating a motor vehicle for which this act requires a  
23 conviction or civil infraction determination to be reported to the  
24 secretary of state. A conviction or civil infraction determination  
25 that is the subject of this subsection shall not be masked,  
26 delayed, diverted, suspended, or suppressed by a court. Upon a  
27 conviction or civil infraction determination, the conviction or

1 civil infraction determination shall immediately be reported to the  
2 secretary of state in accordance with this section.

3 (22) Except as provided in this act and notwithstanding any  
4 other provision of law, a court shall not order expunction of any  
5 violation reportable to the secretary of state under this section.

6 Sec. 732a. (1) Subject to subsection (10), an individual,  
7 whether licensed or not, who accumulates 7 or more points on his or  
8 her driving record under sections 320a and 629c within a 2-year  
9 period for any violation not listed under subsection (2) shall be  
10 assessed a \$100.00 driver responsibility fee. For each additional  
11 point accumulated above 7 points not listed under subsection (2),  
12 an additional fee of \$50.00 shall be assessed. The secretary of  
13 state shall collect the fees described in this subsection once each  
14 year that the point total on an individual driving record is 7  
15 points or more. This subsection is subject to subsection (11).

16 (2) An individual, whether licensed or not, who violates any  
17 of the following sections or another law or local ordinance that  
18 substantially corresponds to those sections shall be assessed a  
19 driver responsibility fee as follows:

20 (a) Subject to subsections (10) and (11), upon posting an  
21 abstract indicating that an individual has been found guilty for a  
22 violation of law listed or described in this subdivision, the  
23 secretary of state shall assess a \$1,000.00 driver responsibility  
24 fee each year for 2 consecutive years:

25 (i) Manslaughter, negligent homicide, or a felony resulting  
26 from the operation of a motor vehicle, ORV, or snowmobile.

27 (ii) Section 601b(2) or (3), 601c(1) or (2), 601d, 626(3) or

1 (4), or 653a(3) or (4).

2 (iii) Section 625(1), (4), or (5), section 625m, or section  
3 81134 of the natural resources and environmental protection act,  
4 1994 PA 451, MCL 324.81134, or a law or ordinance substantially  
5 corresponding to section 625(1), (4), or (5), section 625m, or  
6 section 81134 of the natural resources and environmental protection  
7 act, 1994 PA 451, MCL 324.81134.

8 (iv) Failing to stop and disclose identity at the scene of an  
9 accident when required by law.

10 (v) Fleeing or eluding an officer.

11 (b) Subject to subsections (10) and (11), upon posting an  
12 abstract indicating that an individual has been found guilty for a  
13 violation of law listed in this subdivision, the secretary of state  
14 shall assess a \$500.00 driver responsibility fee each year for 2  
15 consecutive years:

16 (i) Section 625(3), (6), (7), or (8).

17 (ii) Section 626(2).

18 (iii) Section 904.

19 ~~(iv) Section 3101, 3102(1), or 3103 of the insurance code of~~  
20 ~~1956, 1956 PA 218, MCL 500.3101, 500.3102, and 500.3103.~~

21 (c) Through September 30, 2012, upon posting an abstract  
22 indicating that an individual has been found guilty for a violation  
23 of section 301, the secretary of state shall assess a \$150.00  
24 driver responsibility fee each year for 2 consecutive years.  
25 However, a driver responsibility fee shall not be assessed under  
26 this subdivision for a violation committed on or after October 1,  
27 2012.

1 ~~—— (d) Through September 30, 2012, upon posting an abstract~~  
2 ~~indicating that an individual has been found guilty or determined~~  
3 ~~responsible for a violation listed in section 328, the secretary of~~  
4 ~~state shall assess a \$200.00 driver responsibility fee each year~~  
5 ~~for 2 consecutive years. However, a driver responsibility fee shall~~  
6 ~~not be assessed under this subdivision for a violation committed on~~  
7 ~~or after October 1, 2012.~~

8 (3) The secretary of state shall send a notice of the driver  
9 responsibility assessment, as prescribed under subsection (1) or  
10 (2), to the individual by regular mail to the address on the  
11 records of the secretary of state. If payment is not received  
12 within 30 days after the notice is mailed, the secretary of state  
13 shall send a second notice that indicates that if payment is not  
14 received within the next 30 days, the driver's driving privileges  
15 will be suspended.

16 (4) The secretary of state may authorize payment by  
17 installment for a period not to exceed 24 months or, alternatively,  
18 the individual may engage in workforce training under section 732b.  
19 All of the following apply to an individual who, on or before  
20 February 1, 2018, has entered into an installment payment plan as  
21 provided in this subsection:

22 (a) Any outstanding driver responsibility fee assessed under  
23 this section or outstanding installment payment shall not be  
24 collected.

25 (b) An individual is not liable for any outstanding driver  
26 responsibility fee assessed under this section.

27 (c) An individual whose driving privileges were suspended



1 under this section is eligible to reinstate his or her operator's  
2 license if he or she is otherwise in compliance with this act.

3 (5) Except as otherwise provided under this subsection and  
4 section 732b, if payment is not received or an installment plan is  
5 not established after the time limit required by the second notice  
6 prescribed under subsection (3) expires, the secretary of state  
7 shall suspend the driving privileges until the assessment and any  
8 other fees prescribed under this act are paid. However, if the  
9 individual's license to operate a motor vehicle is not otherwise  
10 required under this act to be denied, suspended, or revoked, the  
11 secretary of state shall reinstate the individual's operator's  
12 driving privileges if the individual requests an installment plan  
13 under subsection (4) and makes proper payment under that plan. Fees  
14 required to be paid for the reinstatement of an individual's  
15 operator's driving privileges as described under this subsection  
16 shall, at the individual's request, be included in the amount to be  
17 paid under the installment plan. If the individual establishes a  
18 payment plan as described in this subsection and subsection (4) but  
19 the individual fails to make full or timely payments under that  
20 plan, or enters into workforce training under section 732b but  
21 fails to successfully complete that service within the 45-day  
22 period allowed, or withdraws from workforce training with or  
23 without good cause shown, the secretary of state shall suspend the  
24 individual's driving privileges. The secretary of state shall only  
25 reinstate a license under this subsection once.

26 (6) A driver responsibility fee shall be assessed under this  
27 section in the same manner for a conviction or determination of

1 responsibility for a violation or an attempted violation of a law  
2 of this state, of a local ordinance substantially corresponding to  
3 a law of this state, or of a law of another state substantially  
4 corresponding to a law of this state.

5 (7) The fire protection fund is created within the state  
6 treasury. The state treasurer may receive money or other assets  
7 from any source for deposit into the fund. The state treasurer  
8 shall direct the investment of the fund. The state treasurer shall  
9 credit to the fund interest and earnings from fund investments.  
10 Money in the fund at the close of the fiscal year shall remain in  
11 the fund and shall not lapse to the general fund. The department of  
12 licensing and regulatory affairs shall expend money from the fund,  
13 upon appropriation, only for fire protection grants to cities,  
14 villages, and townships with state-owned facilities for fire  
15 services, as provided in 1977 PA 289, MCL 141.951 to 141.956.

16 (8) The secretary of state shall transmit the fees collected  
17 under this section to the state treasurer. The state treasurer  
18 shall credit fee money received under this section in each fiscal  
19 year as follows:

20 (a) The first \$8,500,000.00 shall be credited to the fire  
21 protection fund created in subsection (7).

22 (b) For fiscal year 2017 and for each fiscal year thereafter,  
23 after the amount specified in subdivision (a) is credited to the  
24 fire protection fund created under subsection (7), the next  
25 \$1,000,000.00 shall be credited to the department of state for  
26 necessary expenses incurred by the department of state in  
27 implementing and administering the requirements of sections 625k

1 and 625q, and, for fiscal year 2018 only, the next \$250,000.00  
2 shall be credited to the department of treasury to implement and  
3 administer the program created in section 732d. Funds appropriated  
4 under this subdivision shall be based upon an established cost  
5 allocation methodology that reflects the actual costs incurred or  
6 to be incurred by the secretary of state during the fiscal year.  
7 However, except as otherwise provided in this subdivision, funds  
8 appropriated under this subdivision shall not exceed \$1,000,000.00  
9 during any fiscal year. Funds appropriated under this subdivision  
10 shall not exceed \$1,250,000.00 during fiscal year 2018.

11 (c) Any amount collected after crediting the amounts under  
12 subdivisions (a) and (b) shall be credited to the general fund.

13 (9) The collection of assessments under this section is  
14 subject to section 304.

15 (10) Subject to subsections (4) and (11), a driver  
16 responsibility fee shall be assessed and collected under this  
17 section as follows:

18 (a) For an individual who accumulates 7 or more points on his  
19 or her driving record beginning on the following dates, a fee  
20 assessed under subsection (1) shall be reduced as follows:

21 (i) Beginning October 1, 2015, the assessment shall be 75% of  
22 the fee calculated under subsection (1).

23 (ii) Beginning October 1, 2016, the assessment shall be 50% of  
24 the fee calculated under subsection (1).

25 (iii) Beginning October 1, 2018, no fee shall be assessed  
26 under subsection (1).

27 (b) A fee assessed under subsection (2)(a) or (b) shall be

1 reduced as follows:

2 (i) For a violation that occurs on or after October 1, 2015,  
3 100% of the fee shall be assessed for the first year and 50% for  
4 the second year.

5 (ii) For a violation that occurs on or after October 1, 2016,  
6 100% of the fee shall be assessed for the first year and no fee  
7 shall be assessed for the second year.

8 (iii) Beginning October 1, 2018, no fee shall be assessed  
9 under subsection (2)(a) or (b).

10 (c) Beginning ~~on the effective date of the amendatory act that~~  
11 ~~added this subdivision,~~ **MARCH 31, 2018**, no fee shall be assessed  
12 under subsection (2)(b)(iii) or ~~(iv)~~. **FORMER SUBSECTION (2)(B)(iv)**.

13 (11) Beginning September 30, 2018, all of the following apply:

14 (a) Any outstanding driver responsibility fee assessed under  
15 this section shall not be collected.

16 (b) An individual is not liable for any outstanding driver  
17 responsibility fee assessed under this section or responsible for  
18 completing workforce training under section 732b.

19 (c) An individual whose driving privileges were suspended  
20 under this section or an individual whose driving privileges were  
21 suspended under section 904(10), if that suspension arose out of  
22 the unlawful operation of a motor vehicle or a moving violation  
23 reportable under section 732 while his or her driving privileges  
24 were suspended under this section, is eligible to reinstate his or  
25 her operator's license if he or she is otherwise in compliance with  
26 this act.

27 (12) Beginning ~~on the effective date of the amendatory act~~

1 ~~that added this subsection~~ **MARCH 31, 2018** and ending December 31,  
2 2018, an individual whose driving privileges were suspended under  
3 this section may reinstate his or her operator's license without  
4 payment of a fee to the secretary of state for the reinstatement.  
5 Beginning January 1, 2019, an individual whose driving privileges  
6 were suspended under this section may reinstate his or her  
7 operator's license upon payment of any fee required by the  
8 secretary of state for the reinstatement.

9 (13) It is the intent of the legislature that beginning with  
10 the fiscal year ending September 30, 2018, and each fiscal year  
11 after that, \$8,500,000.00 shall be appropriated to the fire  
12 protection fund created under subsection (7).

13 Sec. 732b. (1) If an individual was assessed a driver  
14 responsibility fee under section 732a(2)(b)(iii), ~~or (iv),~~ (c), or  
15 (d) ~~,~~ **OR FORMER SECTION 732A(2)(B)(iv)**, the individual may engage  
16 in 10 hours of participation in a workforce training payment  
17 program created under section 732c as an alternative to paying that  
18 fee or any unpaid portion of that fee.

19 (2) An individual may engage in workforce training under  
20 subsection (1) by obtaining a workforce training form from the  
21 secretary of state or the department of treasury. The department of  
22 treasury shall mail to each individual who is required to pay a  
23 driver responsibility fee under section 732a(2)(b)(iii), ~~or (iv),~~  
24 (c), or (d) **OR FORMER SECTION 732A(2)(B)(iv)** a 1-time-only written  
25 notice of the option of completing workforce training as an  
26 alternative to paying that driver responsibility fee. The notice  
27 shall include a statement that workforce training forms for that

1 purpose can be obtained from the department of state or from the  
2 department of treasury. The notice shall be sent to the last known  
3 address of the individual as shown in the records of the department  
4 of treasury. The secretary of state shall make workforce training  
5 forms available to the public at all branch offices and on the  
6 department's website for purposes of this section and shall provide  
7 workforce training forms to the department of treasury for purposes  
8 of this section.

9 (3) If an individual chooses to engage in workforce training  
10 under this section, the individual shall complete the workforce  
11 training form obtained under subsection (2) and return the form to  
12 the department of treasury in the manner prescribed by the  
13 department of treasury. Upon receiving a properly completed  
14 workforce training form under this subsection, the department of  
15 treasury shall inform the department of state that the individual  
16 intends to complete workforce training under this section as an  
17 alternative to paying a driver responsibility fee or any portion of  
18 a driver responsibility fee. If the secretary of state is notified  
19 by the department of treasury that the individual has elected to  
20 complete workforce training under this section as an alternative to  
21 paying the fee, that fee shall be held in abeyance for a period of  
22 45 days. If the individual's license is suspended for failing to  
23 pay the driver responsibility fee or portion of the driver  
24 responsibility fee, the department of state shall, upon payment of  
25 the reinstatement fee, reinstate the individual's driver license.

26 (4) An individual who engages in workforce training under this  
27 section shall be allowed only 1 opportunity to complete the

1 workforce training alternative for each driver responsibility fee  
2 owed. However, the department of treasury may allow an individual  
3 to withdraw from that workforce training before the expiration of  
4 the 45-day period for completing that workforce training for good  
5 cause shown. If the individual is allowed to withdraw from  
6 workforce training for good cause shown, that opportunity for  
7 completing workforce training shall not be considered in the number  
8 of opportunities to perform workforce training under this  
9 subsection, but the individual is subject to the suspension of his  
10 or her driving privileges under section 732a(5).

11 (5) Upon completing workforce training under this section, the  
12 individual may request the person with whom he or she engaged in  
13 workforce training under this section to verify on the workforce  
14 training form in the manner designated by the secretary of state  
15 that he or she successfully completed that workforce training. Upon  
16 verification, the individual may return the workforce training form  
17 to the department of treasury for purposes of this section. Any  
18 person who falsely verifies workforce training under this  
19 subsection and any individual who falsely requests the verification  
20 of workforce training under this section or who returns a community  
21 service form to the department of treasury under this subsection  
22 knowing that his or her workforce training is falsely verified is  
23 responsible for a state civil infraction and may be fined not more  
24 than \$200.00.

25 (6) The department of treasury shall waive the driver  
26 responsibility fee or any portion of the driver responsibility fee  
27 otherwise required to be paid under section 732a(2)(b)(iii), ~~or~~

1 ~~(iv)~~, (c), or (d) **OR FORMER SECTION 732A(2)(B) (iv)** upon receiving  
2 verification that the individual successfully completed the  
3 workforce training requirements of this section. The department of  
4 treasury shall notify the department of state when it has waived  
5 the fee under this section or, if the fee is not waived under this  
6 section, that the 45-day period has expired and the fee has not  
7 been waived. If the secretary of state is notified by the  
8 department of treasury that the fee has not been waived, the  
9 department of state shall enter that information into the records  
10 of the department and shall suspend the individual's driver license  
11 and proceed as provided by law for the individual's failure to pay  
12 the driver responsibility fee or to complete workforce training  
13 under this section.

14       Sec. 801e. (1) When a moped required to be registered under  
15 this act is sold by a retailer to a general purchaser, the  
16 certificate of registration shall be obtained in the name of the  
17 purchaser by the retailer. In other cases, the certificate of  
18 registration shall be obtained by the purchaser. The application  
19 shall be signed by the purchaser of the moped and shall be  
20 accompanied by a fee of \$15.00. Upon receipt of the application in  
21 approved form, the secretary of state shall enter the application  
22 upon the secretary of state's records and issue to the applicant a  
23 certificate of registration containing the decal for the moped, the  
24 name and address of the owner, and other information the secretary  
25 of state considers necessary. ~~A moped shall not be required to be~~  
26 ~~insured in the manner specified for motor vehicles under chapter 31~~  
27 ~~of Act No. 218 of the Public Acts of 1956, as amended, being~~



1 ~~sections 500.3101 to 500.3179 of the Michigan Compiled Laws.~~ The  
2 certificate of registration shall be pocket size, shall accompany  
3 the vehicle, shall be legible, and shall be made available for  
4 inspection upon demand by a law enforcement officer.

5 (2) A decal indicating that the certificate of registration is  
6 in full force and effect shall be issued. A registration  
7 certificate and decal shall not be issued earlier than 90 days  
8 preceding the commencement date of the new registration period.  
9 Display of the decal shall be as prescribed by rule promulgated by  
10 the secretary of state.

11 (3) A retailer or manufacturer of mopeds, upon application to  
12 the secretary of state upon forms provided by the secretary of  
13 state, may obtain certificates of registration for use in the  
14 testing or demonstrating of a moped upon payment of \$10.00 for each  
15 of the first 2 registration certificates. Additional certificates  
16 may be issued at a cost of \$5.00 each and used by the applicant  
17 only in the testing or demonstrating of mopeds by temporary  
18 placement of the registration on the moped being tested or  
19 demonstrated. A certificate issued ~~pursuant to~~ **UNDER** this  
20 subsection may be used on only 1 moped at any given time.

21 (4) A moped registration shall be valid for a 3-year period  
22 ~~which~~ **THAT** begins on May 1 and expires on April 30 of the third  
23 registration year. For purposes of this subsection, a registration  
24 year begins on May 1 and ends on April 30.

25 Sec. 907. (1) A violation of this act, or a local ordinance  
26 substantially corresponding to a provision of this act, that is  
27 designated a civil infraction shall not be considered a lesser

1 included offense of a criminal offense.

2 (2) If a person is determined under sections 741 to 750 to be  
3 responsible or responsible "with explanation" for a civil  
4 infraction under this act or a local ordinance substantially  
5 corresponding to a provision of this act, the judge or district  
6 court magistrate may order the person to pay a civil fine of not  
7 more than \$100.00 and costs as provided in subsection (4). However,  
8 if the civil infraction was a moving violation that resulted in an  
9 at-fault collision with another vehicle, a person, or any other  
10 object, the civil fine ordered under this section shall be  
11 increased by \$25.00 but the total civil fine shall not exceed  
12 \$100.00. However, for a violation of section 602b, the person shall  
13 be ordered to pay costs as provided in subsection (4) and a civil  
14 fine of \$100.00 for a first offense and \$200.00 for a second or  
15 subsequent offense. For a violation of section 674(1)(s) or a local  
16 ordinance substantially corresponding to section 674(1)(s), the  
17 person shall be ordered to pay costs as provided in subsection (4)  
18 and a civil fine of not less than \$100.00 or more than \$250.00. For  
19 a violation of section 676c, the person shall be ordered to pay  
20 costs as provided in subsection (4) and a civil fine of \$1,000.00.  
21 ~~For a violation of section 328, the civil fine ordered under this~~  
22 ~~subsection shall be not more than \$50.00.~~ For a violation of  
23 section 710d, the civil fine ordered under this subsection shall  
24 not exceed \$10.00, subject to subsection (12). For a violation of  
25 section 710e, the civil fine and court costs ordered under this  
26 subsection shall be \$25.00. For a violation of section 682 or a  
27 local ordinance substantially corresponding to section 682, the

1 person shall be ordered to pay costs as provided in subsection (4)  
2 and a civil fine of not less than \$100.00 or more than \$500.00. For  
3 a violation of section 240, the civil fine ordered under this  
4 subsection shall be \$15.00. For a violation of section 252a(1), the  
5 civil fine ordered under this subsection shall be \$50.00. For a  
6 violation of section 676a(3), the civil fine ordered under this  
7 section shall be not more than \$10.00. For a first violation of  
8 section 319f(1), the civil fine ordered under this section shall be  
9 not less than \$2,500.00 or more than \$2,750.00; for a second or  
10 subsequent violation, the civil fine shall be not less than  
11 \$5,000.00 or more than \$5,500.00. For a violation of section  
12 319g(1)(a), the civil fine ordered under this section shall be not  
13 more than \$10,000.00. For a violation of section 319g(1)(g), the  
14 civil fine ordered under this section shall be not less than  
15 \$2,750.00 or more than \$25,000.00. Permission may be granted for  
16 payment of a civil fine and costs to be made within a specified  
17 period of time or in specified installments, but unless permission  
18 is included in the order or judgment, the civil fine and costs  
19 ~~shall be~~ **ARE** payable immediately.

20 (3) Except as provided in this subsection, if a person is  
21 determined to be responsible or responsible "with explanation" for  
22 a civil infraction under this act or a local ordinance  
23 substantially corresponding to a provision of this act while  
24 driving a commercial motor vehicle, he or she shall be ordered to  
25 pay costs as provided in subsection (4) and a civil fine of not  
26 more than \$250.00.

27 (4) If a civil fine is ordered under subsection (2) or (3),

1 the judge or district court magistrate shall summarily tax and  
2 determine the costs of the action, which are not limited to the  
3 costs taxable in ordinary civil actions, and may include all  
4 expenses, direct and indirect, to which the plaintiff has been put  
5 in connection with the civil infraction, up to the entry of  
6 judgment. Costs shall not be ordered in excess of \$100.00. A civil  
7 fine ordered under subsection (2) or (3) shall not be waived unless  
8 costs ordered under this subsection are waived. Except as otherwise  
9 provided by law, costs are payable to the general fund of the  
10 plaintiff.

11 (5) In addition to a civil fine and costs ordered under  
12 subsection (2) or (3) and subsection (4) and the justice system  
13 assessment ordered under subsection (13), the judge or district  
14 court magistrate may order the person to attend and complete a  
15 program of treatment, education, or rehabilitation.

16 (6) A district court magistrate shall impose the sanctions  
17 permitted under subsections (2), (3), and (5) only to the extent  
18 expressly authorized by the chief judge or only judge of the  
19 district court district.

20 (7) Each district of the district court and each municipal  
21 court may establish a schedule of civil fines, costs, and  
22 assessments to be imposed for civil infractions that occur within  
23 the respective district or city. If a schedule is established, it  
24 shall be prominently posted and readily available for public  
25 inspection. A schedule need not include all violations that are  
26 designated by law or ordinance as civil infractions. A schedule may  
27 exclude cases on the basis of a defendant's prior record of civil

1 infractions or traffic offenses, or a combination of civil  
2 infractions and traffic offenses.

3 (8) The state court administrator shall annually publish and  
4 distribute to each district and court a recommended range of civil  
5 fines and costs for first-time civil infractions. This  
6 recommendation is not binding upon the courts having jurisdiction  
7 over civil infractions but is intended to act as a normative guide  
8 for judges and district court magistrates and a basis for public  
9 evaluation of disparities in the imposition of civil fines and  
10 costs throughout the state.

11 (9) If a person has received a civil infraction citation for  
12 defective safety equipment on a vehicle under section 683, the  
13 court shall waive a civil fine, costs, and assessments upon receipt  
14 of certification by a law enforcement agency that repair of the  
15 defective equipment was made before the appearance date on the  
16 citation.

17 (10) A default in the payment of a civil fine or costs ordered  
18 under subsection (2), (3), or (4) or a justice system assessment  
19 ordered under subsection (13), or an installment of the fine,  
20 costs, or assessment, may be collected by a means authorized for  
21 the enforcement of a judgment under chapter 40 of the revised  
22 judicature act of 1961, 1961 PA 236, MCL 600.4001 to 600.4065, or  
23 under chapter 60 of the revised judicature act of 1961, 1961 PA  
24 236, MCL 600.6001 to 600.6098.

25 (11) If a person fails to comply with an order or judgment  
26 issued under this section within the time prescribed by the court,  
27 the driver's license of that person shall be suspended under

1 section 321a until full compliance with that order or judgment  
2 occurs. In addition to this suspension, the court may also proceed  
3 under section 908.

4 (12) The court may waive any civil fine, cost, or assessment  
5 against a person who received a civil infraction citation for a  
6 violation of section 710d if the person, before the appearance date  
7 on the citation, supplies the court with evidence of acquisition,  
8 purchase, or rental of a child seating system meeting the  
9 requirements of section 710d.

10 (13) In addition to any civil fines or costs ordered to be  
11 paid under this section, the judge or district court magistrate  
12 shall order the defendant to pay a justice system assessment of  
13 \$40.00 for each civil infraction determination, except for a  
14 parking violation or a violation for which the total fine and costs  
15 imposed are \$10.00 or less. Upon payment of the assessment, the  
16 clerk of the court shall transmit the assessment collected to the  
17 state treasury to be deposited into the justice system fund created  
18 in section 181 of the revised judicature act of 1961, 1961 PA 236,  
19 MCL 600.181. An assessment levied under this subsection is not a  
20 civil fine for purposes of section 909.

21 (14) If a person has received a citation for a violation of  
22 section 223, the court shall waive any civil fine, costs, and  
23 assessment, upon receipt of certification by a law enforcement  
24 agency that the person, before the appearance date on the citation,  
25 produced a valid registration certificate that was valid on the  
26 date the violation of section 223 occurred.

27 ~~(15) If a person has received a citation for a violation of~~

1 ~~section 328(1) for failing to produce a certificate of insurance~~  
2 ~~under section 328(2), the court may waive the fee described in~~  
3 ~~section 328(3)(c) and shall waive any fine, costs, and any other~~  
4 ~~fee or assessment otherwise authorized under this act upon receipt~~  
5 ~~of verification by the court that the person, before the appearance~~  
6 ~~date on the citation, produced valid proof of insurance that was in~~  
7 ~~effect at the time the violation of section 328(1) occurred.~~  
8 ~~Insurance obtained subsequent to the time of the violation does not~~  
9 ~~make the person eligible for a waiver under this subsection.~~

10       (15) ~~(16)~~—If a person is determined to be responsible or  
11 responsible "with explanation" for a civil infraction under this  
12 act or a local ordinance substantially corresponding to a provision  
13 of this act and the civil infraction arises out of the ownership or  
14 operation of a commercial quadricycle, he or she shall be ordered  
15 to pay costs as provided in subsection (4) and a civil fine of not  
16 more than \$500.00.

17       (16) ~~(17)~~—As used in this section, "moving violation" means an  
18 act or omission prohibited under this act or a local ordinance  
19 substantially corresponding to this act that involves the operation  
20 of a motor vehicle and for which a fine may be assessed.

21       Enacting section 1. Sections 227a and 328 of the Michigan  
22 vehicle code, 1949 PA 300, MCL 257.227a and 257.328, are repealed.

23       Enacting section 2. This amendatory act takes effect July 1,  
24 2020.

25       Enacting section 3. This amendatory act does not take effect  
26 unless Senate Bill No. 1218

27                   of the 99th Legislature is enacted into law.