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,"
THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

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

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

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

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

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

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

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

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

(6) Except as otherwise provided in this subsection, the secretary of state, upon application and payment of the proper fee, shall issue a registration for a vehicle or a motorcycle to a resident that shall expire on the owner's birthday. If the owner's next birthday is at least 6 months but not more than 12 months in the future, the owner shall receive a registration valid until the owner's next birthday. If the owner's next birthday is less than 6 months in the future, the owner shall receive a registration valid until the owner's birthday following the owner's next birthday. The tax required under this act for a registration described in this subsection shall be either of the following:
(a) For an original registration, the tax shall bear the same relationship to the tax required under section 801 for a 12-month registration as the length of the registration bears to 12 months.

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

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

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

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

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

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

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

(a) A new vehicle purchased or leased outside of this state and delivered in this state to the purchaser or lessee by the manufacturer of that vehicle for removal to a place outside of this state, if a certification is made that the vehicle will be
primarily used, stored, and registered outside of this state and
will not be returned to this state by the purchaser or lessee for
use or storage.

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

(10) A special registration issued under subsection (9) is
valid for not more than 30 days after the date of issuance, and a
fee shall be collected for each special registration as provided in
section 802(3). The special registration may be in the form
determined by the secretary of state. If a dealer makes a retail
sale or lease of a vehicle to a purchaser or lessee who is
qualified and eligible to obtain a special registration, the dealer
shall apply for the special registration for the purchaser or
lessee. If a person other than a dealer sells or leases a vehicle
to a purchaser or lessee who is qualified and eligible to obtain a
special registration, the purchaser or lessee shall appear in
person, or by a person exercising the purchaser's or lessee's power
of attorney, at an office of the secretary of state and furnish a
certification that the person is the bona fide purchaser or lessee
or that the person has granted the power of attorney, together with
other forms required for the issuance of the special registration.
and provide the secretary of state with proof that the vehicle is
covered by a Michigan no-fault insurance policy issued under section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101, or proof that the vehicle is covered by a policy of insurance issued by an insurer under section 3163 of the insurance code of 1956, 1956 PA 218, MCL 500.3163. The certification required in this subsection shall contain all of the following:

(a) The address of the purchaser or lessee.

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

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

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

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

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

(12) The expiration date for a multiyear registration issued for a leased vehicle shall be the date the lease expires but shall not be for a period longer than 24 months.
Sec. 227. (1) Application for renewal of a vehicle registration shall be made by the owner upon proper application and by payment of the registration fee for the vehicle, as provided by law.

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

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

(4) Notwithstanding subsection (3), the secretary of state shall accept as proof of vehicle insurance a transmission of the applicant's vehicle policy information for an insured vehicle for which vehicle registration is sought. The secretary of state may determine in what format and on what timeline the secretary of state will receive vehicle policy information, which shall not be required more frequently than every 14 days. In determining the format under this subsection, the secretary of state shall consult with insurers. The transmission to the secretary of state of the vehicle policy information is proof of insurance to the secretary of state for motor vehicle registration purposes only and is not evidence that a policy of insurance actually exists between an insurer and an individual. Vehicle policy information submitted by an insurer and received by the secretary of state under this subsection is confidential, is not subject to the freedom of
information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be disclosed to any person except the department of community health for purposes of 2006 PA 593, MCL 550.281 to 550.289, or under an order by a court of competent jurisdiction in connection with a claim or fraud investigation or prosecution.

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

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

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

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

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

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

(e) A person who is unable to understand highway warning or
direction signs in the English language.

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

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

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

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

(j) A person not licensed under this act who has been
convicted of, has received a juvenile disposition for, or has been
determined responsible for a crime or civil infraction described in section 319, 324, or 904. A person shall be denied a license under this subdivision for the length of time corresponding to the period of the licensing sanction that would have been imposed under section 319, 324, or 904 if the person had been licensed at the time of the violation.

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

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

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

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

(O) A PERSON AGAINST WHOM A JUDGMENT IN A CIVIL ACTION ARISING OUT OF A MOTOR VEHICLE ACCIDENT HAS BEEN ENTERED, IF THE JUDGMENT
HAS NOT BEEN SATISFIED IN FULL.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(g) Any combination of 3 convictions within 10 years for any of the following or 1 conviction for a violation or attempted violation of section 625(6) and any combination of 2 convictions for any of the following within 10 years, if any of the convictions resulted from an arrest on or after January 1, 1992:
(i) A violation or attempted violation of section 625, except a violation of section 625(2), or a violation of any prior enactment of section 625 in which the defendant operated a vehicle while under the influence of intoxicating or alcoholic liquor or a controlled substance, or a combination of intoxicating or alcoholic liquor and a controlled substance, or while visibly impaired, or with an unlawful bodily alcohol content.

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

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

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

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

(a) The later of the following:

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

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

(b) For a denial under subsection (2)(a), (b), (c), and (g), the person rebuts by clear and convincing evidence the presumption resulting from the prima facie evidence that he or she is a
habitual offender. The convictions that resulted in the revocation and denial constitute prima facie evidence that he or she is a habitual offender.

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

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

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

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

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

(a) The person has been disqualified by the United States
secretary of transportation from operating a commercial motor vehicle.

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

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

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

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

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

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

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

Sec. 304. (1) Except as provided in subsection (3), the secretary of state shall issue a restricted license to a person whose license was suspended or restricted under section 319 or revoked or denied under section 303 based on either of the following:
(a) Two or more convictions for violating section 625(1) or (3) or a local ordinance of this state substantially corresponding to section 625(1) or (3).

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

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

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

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

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

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

(b) Section 303(2)(c)(i) or (iii).
(c) Section 303(2)(g)(i) or (iii).
(d) Section 319(4), (5), (6), (7), (8)(a) to (e), or (9).
(e) Section 319e(2)(a) or (b).
(f) Section 320(1)(d).
(g) Section 321a(1), (2), or (3).
(h) Section 323c.
(i) Section 625f.
(j) Section 732a(5).
(k) Section 904(10).
(l) Section 82105a(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82105a.
(m) Section 3177 of the insurance code of 1956, 1956 PA 218, MCL 500.3177.
(M) (n) Section 10 of the motor vehicle ACCIDENT claims act, 1965 PA 198, MCL 257.1110.

(4) A restricted license issued under subsection (1) permits the person to whom it is issued to operate only the vehicle equipped with an ignition interlock device described in subsection (2)(b), to take any driving skills test required by the secretary of state, and to drive to and from any combination of the following locations or events:
   (a) In the course of the person's employment or occupation if the employment or occupation does not require a commercial driver license.
   (b) To and from any combination of the following:
      (i) The person's residence.
      (ii) The person's work location.
(iii) An alcohol, drug, or mental health education and treatment as ordered by the court.
(iv) Alcoholics Anonymous, Narcotics Anonymous, or other court-ordered self-help programs.
(v) Court hearings and probation appointments.
(vi) Court-ordered community service.
(vii) An educational institution at which the person is enrolled as a student.
(viii) A place of regularly occurring medical treatment for a serious condition or medical emergency for the person or a member of the person's household or immediate family.
(ix) Alcohol or drug testing as ordered by the court.
(x) An ignition interlock service provider as required.
(xi) At the discretion of the judge, the custodian of a minor child may drive to and from the facilities of a provider of day care services at which the custodian's minor child is enrolled, or an educational institution at which the custodian's minor child is enrolled as a student for the purposes of classes, academic meetings or conferences, and athletic or other extracurricular activities sanctioned by the educational institution in which the minor child is a participant. As used in this subparagraph, "minor child" means an individual who is less than 18 years of age.
(5) While driving with a restricted license, the person shall carry proof of his or her destination and the hours of any employment, class, or other reason for traveling and shall display that proof upon a peace officer's request.
(6) Except as otherwise provided in this section, a restricted
license issued under subsection (1) is effective until a hearing officer orders an unrestricted license under section 322. Subject to subsection (7), the hearing officer shall not order an unrestricted license until the later of the following events occurs:

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

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

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

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

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

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

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

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

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

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

(b) A license revocation and denial for the full length of time provided under section 303. The minimum period of license revocation and denial imposed must be the same as if this section did not apply. This subdivision applies if the underlying conviction or convictions would have caused a license revocation and denial under section 303 if this section did not apply.
(10) After the person completes the DWI/sobriety court program, the following apply:

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

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

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

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

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

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

(A) Section 625.

(B) A local ordinance of this state or another state substantially corresponding to section 625.
(C) A law of the United States substantially corresponding to section 625.

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

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

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

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

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

(12) The vehicle of an individual admitted to the DWI/sobriety court program...
court program whose vehicle would otherwise be subject to immobilization or forfeiture under this act is exempt from both immobilization and forfeiture under sections 625n and 904d if both of the following apply:

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

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

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

(14) As used in this section:

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

(b) "DWI/sobriety court program" means "program" as that term is defined in section 1084 of the revised judicature act of 1961, 1961 PA 236, MCL 600.1084. Sec. 307. (1) If an applicant for an operator's license or chauffeur's license to operate a noncommercial motor vehicle is a citizen of the United States, the applicant shall supply a photographic identity document, a birth certificate, or other sufficient documents as the secretary of state may require, to verify the identity and citizenship of the applicant. If an
applicant for an operator's or chauffeur's license is not a citizen of the United States, the applicant shall supply a photographic identity document and other sufficient documents to verify the identity of the applicant and the applicant's legal presence in the United States under subdivision (b). The documents required under this subsection shall include the applicant's full legal name, date of birth, and address and residency and demonstrate that the applicant is a citizen of the United States or is legally present in the United States. If the applicant's full legal name differs from the name of the applicant that appears on a document presented under this subsection, the applicant shall present documents to verify his or her current full legal name. The secretary of state shall accept as 1 of the required identification documents an identification card issued by the department of corrections to prisoners who are placed on parole or released from a correctional facility, containing the prisoner's legal name, photograph, and other information identifying the prisoner as provided in section 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237. An application for an operator's or chauffeur's license shall be made in a manner prescribed by the secretary of state and shall contain all of the following:

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

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

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

"NOTICE: Michigan law requires that the same address be used for voter registration and driver license purposes. Therefore, if the residence address you provide in this application differs from your
voter registration address as it appears on the qualified voter file, the secretary of state will automatically change your voter registration to match the residence address on this application, after which your voter registration at your former address will no longer be valid for voting purposes. A new voter registration card, containing the information of your polling place, will be provided to you by the clerk of the jurisdiction where your residence address is located.

(D) THE FOLLOWING NOTICE SHALL BE INCLUDED:

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

(E) (d) For an original or renewal operator's or chauffeur's
license with a vehicle group designation or indorsement, the names
of all states where the applicant has been licensed to drive any
type of motor vehicle during the previous 10 years.

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

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

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

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

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

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

(2) An applicant for an operator's or chauffeur's license may
have his or her image and signature captured or reproduced when the
application for the license is made. The secretary of state shall
acquire equipment purchased or leased under this section under standard purchasing procedures of the department of technology, management, and budget based on standards and specifications established by the secretary of state. The secretary of state shall not purchase or lease equipment until an appropriation for the equipment has been made by the legislature. A digital photographic image and signature captured under this section shall appear on the applicant's operator's license or chauffeur's license. A person's digital photographic image and signature shall be used as follows:

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

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

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

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

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

(3) An application shall contain a signature or verification and certification by the applicant, as determined by the secretary of state, and shall be accompanied by the proper fee. The secretary of state shall collect the application fee with the application.
The secretary of state shall refund the application fee to the applicant if the license applied for is denied, but shall not refund the fee to an applicant who fails to complete the examination requirements of the secretary of state within 90 days after the date of application for a license.

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

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

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

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

(ii) Information describing the anatomical gift donor registry program under part 101 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10123. The information required under this subparagraph includes the address and telephone number of Michigan's federally designated organ procurement organization as
that term is defined in section 10102 of the public health code, 1978 PA 368, MCL 333.10102, or its successor organization.

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

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

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

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

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

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

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

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

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

(8) If a person applies for a commercial learner's permit for an original vehicle group designation or indorsement to operate a commercial motor vehicle, the secretary of state may verify the person's identity, may require proof of Michigan domicile under 49 CFR 383.5, and may verify the person's proof of United States citizenship or proof of lawful permanent residency as required under 49 CFR 383.71 and 383.73, if that information is not on the person's Michigan driving record. If a person applies for a renewal of an operator's or chauffeur's license to operate a commercial motor vehicle, the secretary of state may verify the person's identity, may require proof of Michigan domicile under 49 CFR 383.5, and may verify the person's proof of citizenship or lawful permanent residency under 49 CFR 383.71 and 383.73, if that
information is not on the person's Michigan driving record. If a person applies for an upgrade of a vehicle group designation or indorsement, the secretary of state may verify the person's identity, may require proof of Michigan domicile under 49 CFR 383.5, and may verify the person's proof of citizenship or lawful permanent residency under 49 CFR 383.71 and 383.73, if that information is not on the person's Michigan driving record. The secretary of state shall request the person's complete driving record from all states where the applicant was previously licensed to drive any type of motor vehicle over the last 10 years before issuing a vehicle group designation or indorsement to the applicant. If the applicant does not hold a valid commercial motor vehicle driver license from a state where he or she was licensed in the last 10 years, this complete driving record request must be made not earlier than 24 hours before the secretary of state issues the applicant a vehicle group designation or indorsement. For all other drivers, this request must be made not earlier than 10 days before the secretary of state issues the applicant a vehicle group designation or indorsement. If the application is for the renewal of a vehicle group designation or indorsement, and if the secretary of state enters on the person's driving record maintained under section 204a a notation that the request was made and the date of the request, the secretary of state is required to request the applicant's complete driving record from other states only once under this section. The secretary of state shall also check the applicant's driving record with the National Driver Register and the federal Commercial Driver's License Information System before
issuing that group designation or indorsement.

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

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

(11) The secretary of state shall not disclose a Social
Security number obtained under subsection (1) to another person except for use for 1 or more of the following purposes:

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

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

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

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

(e) As otherwise required by law.

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

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

(14) As required in section 10120 of the public health code, 1978 PA 368, MCL 333.10120, the secretary of state shall maintain the donor registry in a manner that provides electronic access, including, but not limited to, the transfer of data to this state's federally designated organ procurement organization or its
successor organization, tissue banks, and eye banks, in a manner that complies with that section.

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

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

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

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

(b) Subject all persons authorized to manufacture or produce operator's licenses or chauffeur's licenses and all persons who have the ability to affect the identity information that appears on operator's licenses or chauffeur's licenses to appropriate security clearance requirements. The security requirements of this subdivision and subdivision (a) may require that licenses be manufactured or produced in this state.
(c) Provide fraudulent document recognition programs to department of state employees engaged in the issuance of operator's licenses and chauffeur's licenses.

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

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

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

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

(4) Except as otherwise provided in this section, in reviewing a determination resulting in a denial, suspension, restriction, or
revocation under this act, the court shall confine its consideration to a review of the record prepared under section 322 or 625f or the driving record created under section 204a for a statutory legal issue, and may determine that the petitioner is eligible for full driving privileges or, if the petitioner is subject to a revocation under section 303, may determine that the petitioner is eligible for restricted driving privileges. The court shall set aside the secretary of state's determination only if 1 or more of the following apply:

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

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

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

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

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

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

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

(b) In determining whether a petitioner is eligible for review of a revocation or denial under section 303, or whether a petitioner is eligible for restricted driving privileges, all of the following apply:
(i) The petitioner's substantial rights have been prejudiced as described in subdivision (a).

(ii) All of the following are satisfied:

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

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

(C) If the revocation or denial was under section 303(2)(a), (b), (c), or (g), the petitioner rebuts by clear and convincing evidence the presumption that he or she is a habitual offender, and establishes to the court's satisfaction that he or she is likely to adhere to any requirements imposed by the court. For purposes of this sub-subparagraph, the conviction that resulted in the revocation and any record of denial of reinstatement by the department are prima facie evidence that the petitioner is a habitual offender. For purposes of this sub-subparagraph only, the court may take additional testimony to supplement the record prepared under section 322 or 625f or the driving record created...
under section 204a, but shall not expand the record.

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

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

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

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

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

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

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

(ii) The petitioner violates subdivision (b).

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

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

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

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

(7) If a court determines that a petitioner is eligible for restricted driving privileges, the secretary of state shall not issue a restricted license to the petitioner until he or she has
satisfied any other applicable requirements of state or federal law, and shall not issue a restricted license to the petitioner if the order granting eligibility for restricted driving privileges does not comply with subsection (5).

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

Sec. 512. (1) Except as provided in subsection (2), the secretary of state upon receipt of a certified abstract of court record of a judgment rendered in this state or any other state shall forthwith suspend the license and registration and any nonresident's operating privilege of any person against whom such judgment was rendered, except as otherwise provided in this chapter.

(2) The secretary of state shall, upon receipt of a certified abstract of court record of a judgment entered in this state in a civil action arising out of a motor vehicle accident, revoke the driving privileges of the individual against whom the judgment was entered if the court determines that the individual did not have sufficient insurance coverage to pay the amount of the judgment against him or her, subject to the following:

(A) For the first judgment against an individual described in this subsection, the secretary of state shall revoke his or her driving privileges for 30 days.

(B) For a second judgment against an individual described in
THIS SUBSECTION, THE SECRETARY OF STATE SHALL REVOKE HIS OR HER DRIVING PRIVILEGES FOR 6 MONTHS.

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

Sec. 512a. (1) No person shall be suspended under the provisions of this chapter if the secretary of state finds that an insurer was obligated to pay the judgment upon which the suspension is based, at least to the extent and for the amounts required in this chapter, but has not paid the judgment for any reason. A finding by the secretary of state that an insurer is obligated to pay a judgment is not binding upon the insurer and shall have no legal effect whatever except for the purpose of administering this section. Whenever in any judicial proceeding it is determined by any final judgment, decree, or order that an insurer is not obligated to pay any judgment, the secretary of state, notwithstanding any contrary finding theretofore made by him, shall forthwith suspend as provided in section 512 the license and registration and any nonresident's operating privilege of any person against whom the judgment was rendered.

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

Sec. 513. (1) (a) The license, registration, and OR
nonresident's operating privilege SUSPENDED UNDER SECTION 512 shall remain so suspended and shall not be renewed, nor shall any A license or registration be thereafter issued in the name of the person, including any person not previously licensed, unless and until the judgment is satisfied in full or he OR SHE files an installment repayment agreement as provided in section 515 and, notwithstanding the provisions of section 528, maintains proof of financial responsibility as provided in section 517 until the judgment is satisfied in full.

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

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

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

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

(i) Residual third party automobile liability insurance as required under chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179, in the amount of at least $50,000.00 per person for death or bodily injury, $100,000.00 per incident for death or bodily injury, and $25,000.00 for
property damage.

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

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

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

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

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

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

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

SEC. 623B. IN A CIVIL ACTION ARISING OUT OF A MOTOR VEHICLE ACCIDENT, RECOVERY FOR MEDICAL EXPENSES ARISING OUT OF THE ACCIDENT SHALL BE BASED UPON THIRD-PARTY REIMBURSEMENT RATES AS RECOMMENDED BY AN INDEPENDENT THIRD-PARTY ORGANIZATION EVALUATING THE ACTUAL
COSTS OF HEALTHCARE SERVICES IN THIS STATE.

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

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

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

(3) A county board of commissioners may, by resolution, disapprove the operation of golf carts on the streets of a township located within that county if the county board of commissioners conducts a hearing and determines that 1 or more of the following apply:
(a) The operation of golf carts on the streets of that township would cause significant environmental damage.

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

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

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

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

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

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

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

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

(a) Provides access to tourist attractions, food service
establisments, fuel, motels, or other services.

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

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

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

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

(13) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a 2-way street or on the left or right of traffic in the case of a 1-way street, in an unoccupied lane.
(14) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.

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

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

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

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

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

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

(21) As used in this section, "golf cart" means a vehicle designed for transportation while playing the game of golf. A village, city, or township may require a golf cart registered within its jurisdiction to meet any or all of the following vehicle
safety requirements of a low-speed vehicle for approval under this section:

(a) At least 2 headlamps that comply with section 685.
(b) At least 1 tail lamp that complies with section 686.
(c) At least 1 stop lamp and 1 lamp or mechanical signal device that comply with sections 697 and 697b.
(d) At least 1 red reflector on each side of the golf cart as far to the rear as practicable and 1 red reflector on the rear of the golf cart as required for low-speed vehicles by 49 CFR 571.500.
(e) One exterior mirror mounted on the driver's side of the golf cart and either 1 exterior mirror mounted on the passenger side of the golf cart or 1 interior mirror as required for low-speed vehicles by 49 CFR 571.500.
(f) Brakes and a parking brake that comply with section 704.
(g) A horn that complies with section 706.
(h) A windshield that complies with section 708a.
(i) A manufacturer's identification number permanently affixed to the frame of the golf cart.
(j) Safety belts that comply with section 710a and that are used as required by section 710e.
(k) The crash helmet requirements applicable to low-speed vehicles under section 658b.

Sec. 732. (1) Each municipal judge and each clerk of a court of record shall keep a full record of every case in which a person is charged with or cited for a violation of this act or a local ordinance substantially corresponding to this act regulating the operation of vehicles on highways and with those offenses
pertaining to the operation of ORVs or snowmobiles for which points
are assessed under section 320a(1)(c) or (i). Except as provided in
subsection (16), the municipal judge or clerk of the court of
record shall prepare and forward to the secretary of state an
abstract of the court record as follows:

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

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

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

(2) If a city or village department, bureau, or person is
authorized to accept a payment of money as a settlement for a
violation of a local ordinance substantially corresponding to this
act, the city or village department, bureau, or person shall send a
full report of each case in which a person pays any amount of money
to the city or village department, bureau, or person to the
secretary of state upon a form prescribed by the secretary of
(3) The abstract or report required under this section shall be made upon a form furnished by the secretary of state. An abstract shall be certified by signature, stamp, or facsimile signature of the person required to prepare the abstract as correct. An abstract or report shall include all of the following:

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

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

(c) The date and nature of the violation.

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

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

(f) Whether bail was forfeited.

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

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

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

(4) The clerk of the court also shall forward an abstract of the court record to the secretary of state upon a person's conviction or, for the purposes of subdivision (d), a finding or admission of responsibility, involving any of the following:
(a) A violation of section 413, 414, or 479a of the Michigan penal code, 1931 PA 328, MCL 750.413, 750.414, and 750.479a.

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

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

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

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

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

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

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

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

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

(k) A violation of section 3101, 3102(1), or 3103 of the
insurance code of 1956, 1956 PA 218, MCL 500.3101, 500.3102, and 500.3103.

(1) A violation listed as a disqualifying offense under 49 CFR 383.51.

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

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

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

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

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

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

(7) If a person is charged with a felony in which a motor vehicle was used, other than a felony specified in subsection (4)
or section 319, the prosecuting attorney shall include the following statement on the complaint and information filed in district or circuit court:

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

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

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

(9) If the court determines as part of the sentence or disposition that the felony for which the person was convicted or adjudicated and with respect to which notice was given under subsection (7) or (8) is a felony in which a motor vehicle was used, the clerk of the court shall forward an abstract of the court record of that conviction to the secretary of state.
(10) As used in subsections (11) and (12), "felony in which a commercial motor vehicle was used" means a felony during the commission of which the person operated a commercial motor vehicle and while the person was operating the vehicle 1 or more of the following circumstances existed:

(a) The vehicle was used as an instrument of the felony.
(b) The vehicle was used to transport a victim of the felony.
(c) The vehicle was used to flee the scene of the felony.
(d) The vehicle was necessary for the commission of the felony.

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

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

(12) If the judge determines as part of the sentence that the felony for which the defendant was convicted and with respect to which notice was given under subsection (11) is a felony in which a
commercial motor vehicle was used, the clerk of the court shall
forward an abstract of the court record of that conviction to the
secretary of state.

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

(a) The name and title of the person required to forward
abstracts.
(b) The court for which the certification is filed.
(c) The time period covered by the certification.
(d) The following statement:
"I certify that all abstracts required by section 732 of the
Michigan vehicle code, MCL 257.732; MSA 9.2432, for the period
_______________ through ______________ have been forwarded to the
secretary of state."
(e) Other information the secretary of state considers
necessary.
(f) The signature of the person required to forward abstracts.
(14) The failure, refusal, or neglect of a person to comply
with this section constitutes misconduct in office and is grounds
for removal from office.
(15) Except as provided in subsection (16), the secretary of state shall keep all abstracts received under this section at the secretary of state's main office and the abstracts shall be open for public inspection during the office's usual business hours. Each abstract shall be entered upon the master driving record of the person to whom it pertains.

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

(a) The parking or standing of a vehicle.

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

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

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

(e) A violation of section 710e or a local ordinance substantially corresponding to section 710e.
(f) A violation of section 328(1) if, before the appearance date on the citation, the person submits proof to the court that the motor vehicle had insurance meeting the requirements of sections 3101 and 3102 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 and 500.3102, at the time the citation was issued. Insurance obtained subsequent to the time of the violation does not make the violation an exception under this subsection.

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

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

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

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

(18) The secretary of state shall inform the courts of this state of the nonmoving violations and violations of chapter II that
are used by the secretary of state as the basis for the suspension, restriction, revocation, or denial of an operator's or chauffeur's license.

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

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

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

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

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

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

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

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

(ii) Section 601b(2) or (3), 601c(1) or (2), 601d, 626(3) or
(iii) Section 625(1), (4), or (5), section 625m, or section 81134 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81134, or a law or ordinance substantially corresponding to section 625(1), (4), or (5), section 625m, or section 81134 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81134.

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

(v) Fleeing or eluding an officer.

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

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

(ii) Section 626(2).

(iii) Section 904.

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

(c) Through September 30, 2012, upon posting an abstract indicating that an individual has been found guilty for a violation of section 301, the secretary of state shall assess a $150.00 driver responsibility fee each year for 2 consecutive years. However, a driver responsibility fee shall not be assessed under this subdivision for a violation committed on or after October 1, 2012.
(d) Through September 30, 2012, upon posting an abstract indicating that an individual has been found guilty or determined responsible for a violation listed in section 328, the secretary of state shall assess a $200.00 driver responsibility fee each year for 2 consecutive years. However, a driver responsibility fee shall not be assessed under this subdivision for a violation committed on or after October 1, 2012.

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

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

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

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

(c) An individual whose driving privileges were suspended
under this section is eligible to reinstate his or her operator's license if he or she is otherwise in compliance with this act.

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

(6) A driver responsibility fee shall be assessed under this section in the same manner for a conviction or determination of
responsibility for a violation or an attempted violation of a law of this state, of a local ordinance substantially corresponding to a law of this state, or of a law of another state substantially corresponding to a law of this state.

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

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

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

(b) For fiscal year 2017 and for each fiscal year thereafter, after the amount specified in subdivision (a) is credited to the fire protection fund created under subsection (7), the next $1,000,000.00 shall be credited to the department of state for necessary expenses incurred by the department of state in implementing and administering the requirements of sections 625k...
and 625q, and, for fiscal year 2018 only, the next $250,000.00 shall be credited to the department of treasury to implement and administer the program created in section 732d. Funds appropriated under this subdivision shall be based upon an established cost allocation methodology that reflects the actual costs incurred or to be incurred by the secretary of state during the fiscal year. However, except as otherwise provided in this subdivision, funds appropriated under this subdivision shall not exceed $1,000,000.00 during any fiscal year. Funds appropriated under this subdivision shall not exceed $1,250,000.00 during fiscal year 2018.

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

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

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

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

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

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

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

(b) A fee assessed under subsection (2)(a) or (b) shall be
reduced as follows:

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

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

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

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

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

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

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

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

(12) Beginning on the effective date of the amendatory act.
that added this subsection \textit{MARCH 31, 2018} and ending December 31, 2018, an individual whose driving privileges were suspended under this section may reinstate his or her operator's license without payment of a fee to the secretary of state for the reinstatement. Beginning January 1, 2019, an individual whose driving privileges were suspended under this section may reinstate his or her operator's license upon payment of any fee required by the secretary of state for the reinstatement.

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

Sec. 732b. (1) If an individual was assessed a driver responsibility fee under section 732a(2)(b)(\textit{iii}), or (\textit{iv}), (c), or (d) \textbf{OR FORMER SECTION 732A(2)(B)(iv)}, the individual may engage in 10 hours of participation in a workforce training payment program created under section 732c as an alternative to paying that fee or any unpaid portion of that fee.

(2) An individual may engage in workforce training under subsection (1) by obtaining a workforce training form from the secretary of state or the department of treasury. The department of treasury shall mail to each individual who is required to pay a driver responsibility fee under section 732a(2)(b)(\textit{iii}), or (\textit{iv}), (c), or (d) \textbf{OR FORMER SECTION 732A(2)(B)(iv)} a 1-time-only written notice of the option of completing workforce training as an alternative to paying that driver responsibility fee. The notice shall include a statement that workforce training forms for that
purpose can be obtained from the department of state or from the
department of treasury. The notice shall be sent to the last known
address of the individual as shown in the records of the department
of treasury. The secretary of state shall make workforce training
forms available to the public at all branch offices and on the
department's website for purposes of this section and shall provide
workforce training forms to the department of treasury for purposes
of this section.

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

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

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

(6) The department of treasury shall waive the driver
responsibility fee or any portion of the driver responsibility fee
otherwise required to be paid under section 732a(2)(b)(iii), or
(c), or (d) OR FORMER SECTION 732A(2)(B)(iv) upon receiving verification that the individual successfully completed the workforce training requirements of this section. The department of treasury shall notify the department of state when it has waived the fee under this section or, if the fee is not waived under this section, that the 45-day period has expired and the fee has not been waived. If the secretary of state is notified by the department of treasury that the fee has not been waived, the department of state shall enter that information into the records of the department and shall suspend the individual's driver license and proceed as provided by law for the individual's failure to pay the driver responsibility fee or to complete workforce training under this section.

Sec. 801e. (1) When a moped required to be registered under this act is sold by a retailer to a general purchaser, the certificate of registration shall be obtained in the name of the purchaser by the retailer. In other cases, the certificate of registration shall be obtained by the purchaser. The application shall be signed by the purchaser of the moped and shall be accompanied by a fee of $15.00. Upon receipt of the application in approved form, the secretary of state shall enter the application upon the secretary of state's records and issue to the applicant a certificate of registration containing the decal for the moped, the name and address of the owner, and other information the secretary of state considers necessary. A moped shall not be required to be insured in the manner specified for motor vehicles under chapter 31 of Act No. 218 of the Public Acts of 1956, as amended, being
sections 500.3101 to 500.3179 of the Michigan Compiled Laws. The certificate of registration shall be pocket size, shall accompany the vehicle, shall be legible, and shall be made available for inspection upon demand by a law enforcement officer.

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

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

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

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

(2) If a person is determined under sections 741 to 750 to be responsible or responsible "with explanation" for a civil infraction under this act or a local ordinance substantially corresponding to a provision of this act, the judge or district court magistrate may order the person to pay a civil fine of not more than $100.00 and costs as provided in subsection (4). However, if the civil infraction was a moving violation that resulted in an at-fault collision with another vehicle, a person, or any other object, the civil fine ordered under this section shall be increased by $25.00 but the total civil fine shall not exceed $100.00. However, for a violation of section 602b, the person shall be ordered to pay costs as provided in subsection (4) and a civil fine of $100.00 for a first offense and $200.00 for a second or subsequent offense. For a violation of section 674(1)(s) or a local ordinance substantially corresponding to section 674(1)(s), the person shall be ordered to pay costs as provided in subsection (4) and a civil fine of not less than $100.00 or more than $250.00. For a violation of section 676c, the person shall be ordered to pay costs as provided in subsection (4) and a civil fine of $1,000.00. For a violation of section 328, the civil fine ordered under this subsection shall be not more than $50.00. For a violation of section 710d, the civil fine ordered under this subsection shall not exceed $10.00, subject to subsection (12). For a violation of section 710e, the civil fine and court costs ordered under this subsection shall be $25.00. For a violation of section 682 or a local ordinance substantially corresponding to section 682, the
person shall be ordered to pay costs as provided in subsection (4) and a civil fine of not less than $100.00 or more than $500.00. For a violation of section 240, the civil fine ordered under this subsection shall be $15.00. For a violation of section 252a(1), the civil fine ordered under this subsection shall be $50.00. For a violation of section 676a(3), the civil fine ordered under this section shall be not more than $10.00. For a first violation of section 319f(1), the civil fine ordered under this section shall be not less than $2,500.00 or more than $2,750.00; for a second or subsequent violation, the civil fine shall be not less than $5,000.00 or more than $5,500.00. For a violation of section 319g(1)(a), the civil fine ordered under this section shall be not more than $10,000.00. For a violation of section 319g(1)(g), the civil fine ordered under this section shall be not less than $2,750.00 or more than $25,000.00. Permission may be granted for payment of a civil fine and costs to be made within a specified period of time or in specified installments, but unless permission is included in the order or judgment, the civil fine and costs shall be payable immediately.

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

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

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

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

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

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

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

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

(11) If a person fails to comply with an order or judgment
issued under this section within the time prescribed by the court,
the driver's license of that person shall be suspended under
section 321a until full compliance with that order or judgment occurs. In addition to this suspension, the court may also proceed under section 908.

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

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

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

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

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

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

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

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

Enacting section 3. This amendatory act does not take effect
unless Senate Bill No. 1218
of the 99th Legislature is enacted into law.