

HOUSE BILL No. 5325

October 23, 2001, Introduced by Reps. Patterson, Raczkowski, Kowall, Howell, Ehardt, Basham, Jelinek, Pumford, Stewart, Switalski, Hager, Toy, Bishop, Richardville, DeVuyst, Mortimer, Tabor, Vander Veen, Stamas, Jansen, Birkholz and O'Neil and referred to the Committee on Criminal Justice.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 310 (MCL 257.310), as amended by 1998
PA 226.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 310. (1) The secretary of state shall issue an
2 operator's license to each person licensed as an operator and a
3 chauffeur's license to each person licensed as a chauffeur. An
4 applicant for a motorcycle indorsement under section 312a or a
5 vehicle group designation or indorsement shall first qualify for
6 an operator's or chauffeur's license before the indorsement or
7 vehicle group designation application is accepted and processed.

8 (2) The license issued under subsection (1) shall contain
9 all of the following information:

1 (a) The distinguishing number permanently assigned to the
2 licensee.

3 (b) The full name, date of birth, address of residence,
4 height, eye color, sex, an image, and the signature of the
5 licensee.

6 (c) An indication that the license contains 1 or more of the
7 following:

8 (i) The blood type of the licensee.

9 (ii) Immunization data of the licensee.

10 (iii) Medication data of the licensee.

11 (iv) A statement that the licensee is deaf.

12 (v) A statement that the licensee is an organ and tissue
13 donor pursuant to part 101 of the public health code, 1978
14 PA 368, MCL 333.10101 to 333.10109.

15 (vi) Emergency contact information of the licensee.

16 (vii) IF APPLICABLE, A STATEMENT THAT THE LICENSEE IS REGIS-
17 TERED UNDER THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295,
18 MCL 28.721 TO 28.732, FOR A CONVICTION OF 1 OR MORE OF THE LISTED
19 OFFENSES CONTAINED IN SECTION 2(D)(i), (ix) IF THE VICTIM WAS
20 LESS THAN 16 YEARS OF AGE, (x), OR (xi) OF THE SEX OFFENDERS REG-
21 ISTRATION ACT, 1994 PA 295, MCL 28.722.

22 (d) If the licensee has made a statement described in
23 subdivision (c)(v), the signature of the licensee following the
24 indication of his or her organ and tissue donor intent identified
25 in subdivision (c)(v), along with the signature of at least 1
26 witness.

1 (3) Except as otherwise required in this chapter, other
2 information required on the license pursuant to this chapter may
3 appear on the license in a form prescribed by the secretary of
4 state.

5 (4) The license shall not contain a fingerprint or finger
6 image of the licensee.

7 (5) A digitized license may contain an identifier for voter
8 registration purposes. The digitized license may contain infor-
9 mation appearing in electronic or machine readable codes needed
10 to conduct a transaction with the secretary of state. The infor-
11 mation shall be limited to the person's driver license number,
12 birth date, license expiration date, and other information neces-
13 sary for use with electronic devices, machine readers, or auto-
14 matic teller machines and shall not contain the person's name,
15 address, driving record, or other personal identifier. The
16 license shall identify the encoded information.

17 (6) The license shall be manufactured in a manner to pro-
18 hibit as nearly as possible the ability to reproduce, alter,
19 counterfeit, forge, or duplicate the license without ready
20 detection. In addition, a license with a vehicle group designa-
21 tion shall contain the information required pursuant to
22 49 C.F.R. part 383.

23 (7) A person who intentionally reproduces, alters, counter-
24 feits, forges, or duplicates a license photograph, the negative
25 of the photograph, an image, a license, the electronic data con-
26 tained on a license or a part of a license, or who uses a
27 license, an image, or photograph that has been reproduced,

1 altered, counterfeited, forged, or duplicated is subject to 1 of
2 the following:

3 (a) If the intent of the reproduction, alteration, counter-
4 feiting, forging, duplication, or use was to commit or aid in the
5 commission of an offense punishable by imprisonment for 1 or more
6 years, the person committing the reproduction, alteration, coun-
7 terfeiting, forging, duplication, or use is guilty of a misde-
8 meanor, punishable by imprisonment for a period equal to the
9 imprisonment that could be imposed for the commission of the
10 offense the person had the intent to aid or commit. The court
11 may also assess a fine of not more than \$10,000.00 against the
12 person.

13 (b) If the intent of the reproduction, alteration, counter-
14 feiting, forging, duplication, or use was to commit or aid in the
15 commission of an offense punishable by imprisonment for not more
16 than 1 year, the person committing the reproduction, alteration,
17 counterfeiting, forging, duplication, or use is guilty of a mis-
18 demeanor, punishable by imprisonment for not more than 1 year, or
19 a fine of not more than \$1,000.00, or both.

20 (8) The secretary of state, upon determining after an exami-
21 nation that an applicant is mentally and physically qualified to
22 receive a license, may issue to that person a temporary driver's
23 permit entitling the person while having the permit in his or her
24 immediate possession to drive a motor vehicle upon the highway
25 for a period not exceeding 60 days before issuance to the person
26 of an operator's or chauffeur's license by the secretary of
27 state.

1 (9) An operator or chauffeur may indicate on the license in
2 a place designated by the secretary of state his or her blood
3 type, emergency contact information, immunization data, medica-
4 tion data, or a statement that the licensee is deaf, or a state-
5 ment that the licensee is an organ and tissue donor and has made
6 an anatomical gift pursuant to part 101 of the public health
7 code, 1978 PA 368, MCL 333.10101 to 333.10109.

8 (10) If the applicant provides proof to the secretary of
9 state that he or she is a minor who has been emancipated pursuant
10 to 1968 PA 293, MCL 722.1 to 722.6, the license shall bear the
11 designation of the individual's emancipated status in a manner
12 prescribed by the secretary of state.

13 Enacting section 1. This amendatory act does not take
14 effect unless Senate Bill No. _____ or House Bill
15 No. 5324 (request no. 04888'01 a *) of the 91st Legislature is
16 enacted into law.