

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4505

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 50a, 51a, 251b, 251d, 302, 303, 307, 310, 314, 315, 318, 511, 728, 749, 801, 814, and 819 (MCL 257.40b, 257.50a, 257.51a, 257.251b, 257.251d, 257.302, 257.303, 257.307, 257.310, 257.314, 257.315, 257.318, 257.511, 257.728, 257.749, 257.801, 257.814, and 257.819), section 40b as added by 1997 PA 100, section 50a as added and section 315 as amended by 1999 PA 118, sections 302, 303, 307, and 314 as amended by 2006 PA 298, section 310 as amended by 2005 PA 141, section 728 as amended by 1993 PA 301, section 749 as amended by 1984 PA 331, section 801 as amended by 2006 PA 562, and section 819 as amended by 1990 PA 168.

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

1           Sec. 40b. (1) "Personal information" means information that  
2 identifies an individual, including the individual's photograph

1 or image, name, address (but not the zip code), driver license  
 2 number, social security number, telephone number, digitized  
 3 signature, and medical and disability information. Personal  
 4 information does not include information on driving and  
 5 equipment-related violations or civil infractions, driver or  
 6 vehicle registration status, vehicular accidents, or other  
 7 behaviorally-related information.

8 (2) "Highly restricted personal information" means an  
 9 individual's photograph or image, social security number,  
 10 digitized signature, ~~and~~ medical and disability information, **AND**  
 11 **SOURCE DOCUMENTS PRESENTED BY AN APPLICANT TO OBTAIN AN**  
 12 **OPERATOR'S OR CHAUFFEUR'S LICENSE UNDER SECTION 307(1).**

13 Sec. 50a. "Residence address" means the place that is the  
 14 settled ~~or permanent~~ home or domicile at which a person **LEGALLY**  
 15 resides as defined in section 11 of the Michigan election law,  
 16 1954 PA 116, MCL 168.11.

17 Sec. 51a. "Resident" means every person who resides ~~in a~~  
 18 ~~settled or permanent home or domicile with the intention of~~  
 19 ~~remaining in this state. A person who obtains employment in this~~  
 20 ~~state is presumed to have the intention of remaining in this~~  
 21 state **AND ESTABLISHES THAT HE OR SHE IS LEGALLY PRESENT IN THE**  
 22 **UNITED STATES.** This definition shall ~~apply~~ **APPLIES** to the  
 23 provisions of this act only.

24 Sec. 251b. A dealer shall not rent, lease, or furnish a  
 25 motorcycle to a person for use on public streets and highways who  
 26 is not licensed to operate a motorcycle by the state, if a  
 27 resident, and by the state ~~of which the person is a resident~~ **IN**

1 **WHICH THE PERSON RESIDES**, if a nonresident.

2       Sec. 251d. A person to whom a motorcycle is rented, leased,  
3 or furnished, shall not rent, sublease, or otherwise authorize  
4 the use of the motorcycle on public streets and highways to a  
5 person who is not licensed to operate a motorcycle in this state,  
6 if a resident, and by the state ~~of which the person is a resident~~  
7 **IN WHICH THE PERSON RESIDES**, if a nonresident.

8       Sec. 302. The following persons are exempt from obtaining a  
9 license under this chapter:

10       (a) A person serving in the armed forces of the United  
11 States if furnished with a driver's permit and operating an  
12 official motor vehicle in that service or a person who is a  
13 military driver and operates a commercial motor vehicle for a  
14 military purpose. This exemption applies to active duty military  
15 personnel, members of the military reserves, active duty United  
16 States coast guard personnel, and members of the national guard  
17 while on active duty, including, but not limited to, personnel on  
18 full-time national guard duty, personnel on part-time national  
19 guard training, and national guard military technicians who are  
20 civilians required to wear military uniforms. This exemption does  
21 not apply to any of the following:

22       (i) United States reserve technicians.

23       (ii) Except as otherwise provided in this subdivision, a  
24 person who is a civilian and in the employ of the armed forces of  
25 the United States.

26       (b) A person while driving or operating a road roller, a  
27 snow motor, road machinery, or a farm tractor or implement of

1 husbandry temporarily drawn, moved, or propelled on a highway, **IF**  
2 **THE PERSON IS A CITIZEN OF THE UNITED STATES OR IS OTHERWISE**  
3 **ELIGIBLE TO BE ISSUED AN OPERATOR'S LICENSE OR CHAUFFEUR'S**  
4 **LICENSE UNDER SECTION 307(1).**

5 (c) A nonresident who is not less than 16 years of age and  
6 who has been licensed either as an operator or a chauffeur under  
7 a law requiring the licensing of operators or chauffeurs in his  
8 or her home state and who has in his or her immediate possession  
9 either a valid operator's or a valid chauffeur's license issued  
10 to him or her in his or her home state.

11 (d) A nonresident who is over the age of 17 years, whose  
12 home state does not require the licensing of operators, may  
13 operate a motor vehicle as an operator only, for a period of not  
14 more than 90 days in any calendar year, if all of the following  
15 apply:

16 (i) The motor vehicle is registered in the home state or  
17 country of the nonresident.

18 (ii) The nonresident has in his or her immediate possession a  
19 registration card evidencing ownership and registration of the  
20 motor vehicle in his or her home state or country, or is able at  
21 any time or place required to prove lawful possession or the  
22 right to operate the motor vehicle and to establish his or her  
23 proper identity.

24 **(iii) THE NONRESIDENT IS A CITIZEN OF THE UNITED STATES OR IS**  
25 **OTHERWISE ELIGIBLE TO BE ISSUED AN OPERATOR'S LICENSE OR**  
26 **CHAUFFEUR'S LICENSE UNDER SECTION 307(1).**

27 (e) A person who is a member of the armed forces of the

1 United States on official leave, who on the date of his or her  
2 orders granting leave possessed an operator's or chauffeur's  
3 license, valid except for the expiration date of the license.  
4 This exemption applies only to the person's first leave of  
5 absence following the expiration of his or her license and  
6 exempts the person from the provisions of this act for a period  
7 not to exceed 30 days.

8 (f) A person who is a discharged member of the armed forces  
9 of the United States, who on the date of his or her discharge  
10 possesses an operator's or chauffeur's license, valid except for  
11 the expiration date, for a period not to exceed 30 days from date  
12 of discharge.

13 (g) A person who is a member of the armed forces of the  
14 United States, stationed in this state, who ~~is a resident of~~  
15 **RESIDES IN** another state and has a valid license issued by ~~his or~~  
16 ~~her state of residence~~ **THE STATE IN WHICH HE OR SHE RESIDES.**

17 (h) A person while operating a commercial motor vehicle in  
18 the course of a driving test administered by a certified examiner  
19 appointed by the secretary of state and while accompanied by the  
20 examiner, **IF THE PERSON IS A CITIZEN OF THE UNITED STATES OR IS**  
21 **OTHERWISE ELIGIBLE TO BE ISSUED AN OPERATOR'S LICENSE OR**  
22 **CHAUFFEUR'S LICENSE UNDER SECTION 307(1).**

23 (i) A person while operating a commercial motor vehicle who  
24 is not disqualified from operating a commercial motor vehicle and  
25 who holds a commercial driver license that is issued to him or  
26 her by another state or jurisdiction under 49 CFR part 383.

27 Sec. 303. (1) The secretary of state shall not issue a

1 license under this act to any of the following persons:

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

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

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

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

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

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

24 (g) A person who has been convicted of, has received a  
25 juvenile disposition for, or has been determined responsible for  
26 2 or more moving violations under a law of this state, a local  
27 ordinance substantially corresponding to a law of this state, or

1 a law of another state substantially corresponding to a law of  
2 this state within the preceding 3 years, if the violations  
3 occurred before issuance of an original license to the person in  
4 this state, another state, or another country.

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

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

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

24 (k) A person not licensed under this act who has been  
25 convicted of or received a juvenile disposition for committing a  
26 crime described in section 319e. A person shall be denied a  
27 license under this subdivision for the length of time that

1 corresponds to the period of the licensing sanction that would  
2 have been imposed under section 319e if the person had been  
3 licensed at the time of the violation.

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

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

14 **(N) UNLESS OTHERWISE ELIGIBLE UNDER SECTION 307(1), A PERSON**  
15 **WHO IS NOT A CITIZEN OF THE UNITED STATES.**

16 (2) Upon receiving the appropriate records of conviction,  
17 the secretary of state shall revoke the operator's or chauffeur's  
18 license of a person and deny issuance of an operator's or  
19 chauffeur's license to a person having any of the following,  
20 whether under a law of this state, a local ordinance  
21 substantially corresponding to a law of this state, or a law of  
22 another state substantially corresponding to a law of this state:

23 (a) Any combination of 2 convictions within 7 years for  
24 reckless driving in violation of section 626.

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

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



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

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

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

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

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

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

22           (iii) Former section 625b.

23           (d) One conviction for a violation or attempted violation of  
24 section 315(5), section 601b(3), section 601c(2), section 602a(4)  
25 or (5), section 617, section 625(4) or (5), section 653a(4), or  
26 section 904(4) or (5).

27           (e) One conviction of negligent homicide, manslaughter, or

1 murder resulting from the operation of a vehicle or an attempt to  
2 commit any of those crimes.

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

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

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

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

20 (iii) Former section 625b.

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

24 (4) The secretary of state shall not issue a license under  
25 this act to a person whose license has been revoked under this  
26 act or revoked and denied under subsection (2) until all of the  
27 following occur, as applicable:

1 (a) The later of the following:

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

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

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

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

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

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

24 (b) To a person less than 21 years of age not licensed under  
25 this act who was convicted of or received a juvenile disposition  
26 for violating or attempting to violate section 411a(2) of the  
27 Michigan penal code, 1931 PA 328, MCL 750.411a, involving a

1 school when he or she was less than 14 years of age or older,  
2 until 3 years after the date of the conviction or juvenile  
3 disposition. A person not issued a license under this subdivision  
4 is not eligible to begin graduated licensing training or  
5 otherwise obtain an original operator's or chauffeur's license  
6 until 3 years after the date of the conviction or juvenile  
7 disposition.

8 (6) The secretary of state shall deny issuance of a vehicle  
9 group designation to a person if the person has been disqualified  
10 by the United States secretary of transportation from operating a  
11 commercial motor vehicle.

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

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

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

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

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

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

27 Sec. 307. (1) ~~An~~ **IF AN** applicant for an operator's **LICENSE**

1 or chauffeur's license IS A CITIZEN OF THE UNITED STATES, THE  
2 APPLICANT shall supply a PHOTOGRAPHIC IDENTITY DOCUMENT, A birth  
3 certificate, ~~attesting to his or her age or other sufficient~~  
4 ~~documents or identification~~ as the secretary of state may require  
5 TO VERIFY THE IDENTITY AND CITIZENSHIP OF THE APPLICANT. IF AN  
6 APPLICANT FOR AN OPERATOR'S OR CHAUFFEUR'S LICENSE IS NOT A  
7 CITIZEN OF THE UNITED STATES, THE APPLICANT SHALL SUPPLY A  
8 PHOTOGRAPHIC IDENTITY DOCUMENT AND OTHER SUFFICIENT DOCUMENTS TO  
9 VERIFY THE IDENTITY OF THE APPLICANT AND THE APPLICANT'S LEGAL  
10 PRESENCE IN THE UNITED STATES UNDER SUBDIVISION (B). THE  
11 DOCUMENTS REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE THE  
12 APPLICANT'S FULL LEGAL NAME, DATE OF BIRTH, AND ADDRESS AND  
13 RESIDENCY AND DEMONSTRATE THAT THE APPLICANT IS A CITIZEN OF THE  
14 UNITED STATES OR IS LEGALLY PRESENT IN THE UNITED STATES. IF THE  
15 APPLICANT'S FULL LEGAL NAME DIFFERS FROM THE NAME OF THE  
16 APPLICANT THAT APPEARS ON A DOCUMENT PRESENTED UNDER THIS  
17 SUBSECTION, THE APPLICANT SHALL PRESENT DOCUMENTS TO VERIFY HIS  
18 OR HER CURRENT FULL LEGAL NAME. An application for an operator's  
19 or chauffeur's license shall be made in a manner prescribed by  
20 the secretary of state and shall contain all of the following:

21 (a) The applicant's full **LEGAL** name, date of birth,  
22 residence address, height, sex, eye color, signature, and,  
23 beginning January 1, 2007, intent to be an organ donor, other  
24 information required or permitted on the license under this  
25 chapter, and, **ONLY** to the extent required to comply with federal  
26 law, the applicant's social security number. The applicant may  
27 provide a mailing address if the applicant receives mail at an

1 address different from his or her residence address.

2 (B) IF THE APPLICANT IS NOT A CITIZEN OF THE UNITED STATES,  
3 THE APPLICANT SHALL PROVIDE DOCUMENTS DEMONSTRATING HIS OR HER  
4 LEGAL PRESENCE IN THE UNITED STATES. A PERSON LEGALLY PRESENT IN  
5 THE UNITED STATES INCLUDES, BUT IS NOT LIMITED TO, A PERSON  
6 AUTHORIZED BY THE UNITED STATES GOVERNMENT FOR EMPLOYMENT IN THE  
7 UNITED STATES, A PERSON WITH NONIMMIGRANT STATUS AUTHORIZED UNDER  
8 FEDERAL LAW, AND A PERSON WHO IS THE BENEFICIARY OF AN APPROVED  
9 IMMIGRANT VISA PETITION OR AN APPROVED LABOR CERTIFICATION. THE  
10 SECRETARY OF STATE SHALL ADOPT RULES UNDER THE ADMINISTRATIVE  
11 PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, AS ARE  
12 NECESSARY FOR THE ADMINISTRATION OF THIS SUBDIVISION. A  
13 DETERMINATION BY THE SECRETARY OF STATE THAT AN APPLICANT IS NOT  
14 LEGALLY PRESENT IN THE UNITED STATES MAY BE APPEALED UNDER  
15 SECTION 631 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236,  
16 MCL 600.631.

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

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

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

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

14 (E) ~~(d)~~—For an operator's or chauffeur's license with a  
15 vehicle group designation or indorsement, the following  
16 certifications by the applicant:

17 (i) The applicant meets the applicable federal driver  
18 qualification requirements under 49 CFR part 391 if the applicant  
19 operates or intends to operate in interstate commerce or meets  
20 the applicable qualifications of the department of state police  
21 under the motor carrier safety act of 1963, 1963 PA 181, MCL  
22 480.11 to 480.25, if the applicant operates or intends to operate  
23 in intrastate commerce.

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

27 (iii) The applicant is not subject to disqualification by the

1 United States secretary of transportation, or a suspension,  
2 revocation, or cancellation under any state law for conviction of  
3 an offense described in section 312f or 319b.

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

6 (F) ~~(e)~~—An applicant for an operator's or chauffeur's  
7 license with a vehicle group designation and a hazardous material  
8 indorsement shall provide his or her fingerprints as prescribed  
9 by state and federal law.

10 (2) ~~Except as provided in this subsection, an AN applicant~~  
11 ~~for an operator's or chauffeur's license may have his or her~~  
12 ~~image and signature captured or reproduced when the application~~  
13 ~~for the license is made. An applicant required under section 5a~~  
14 ~~of the sex offenders registration act, 1994 PA 295, MCL 28.725a,~~  
15 ~~to maintain a valid operator's or chauffeur's license or official~~  
16 ~~state personal identification card shall have his or her image~~  
17 ~~and signature captured or reproduced when the application for the~~  
18 ~~license is made. The secretary of state shall acquire by purchase~~  
19 ~~or lease the equipment for capturing the images and signatures~~  
20 ~~and may furnish the equipment to a local unit authorized by the~~  
21 ~~secretary of state to license drivers. The secretary of state~~  
22 ~~shall acquire equipment purchased or leased pursuant to UNDER~~  
23 ~~this section under standard purchasing procedures of the~~  
24 ~~department of management and budget based on standards and~~  
25 ~~specifications established by the secretary of state. The~~  
26 ~~secretary of state shall not purchase or lease equipment until an~~  
27 ~~appropriation for the equipment has been made by the legislature.~~



1 ~~An~~ **A DIGITAL PHOTOGRAPHIC** image and signature captured pursuant  
2 ~~to~~ **UNDER** this section shall appear on the applicant's operator's  
3 **LICENSE** or chauffeur's license. ~~Except as provided in this~~  
4 ~~subsection, the secretary of state may retain and use a person's~~  
5 ~~image and signature described in this subsection only for~~  
6 ~~programs administered by the secretary of state. Except as~~  
7 ~~provided in this subsection, the secretary of state shall not use~~  
8 ~~a person's image or signature, or both, unless the person grants~~  
9 ~~written permission for that purpose to the secretary of state or~~  
10 ~~specific enabling legislation permitting the use is enacted into~~  
11 ~~law. A law enforcement agency of this state has access to~~  
12 ~~information retained by the secretary of state under this~~  
13 ~~subsection. The information may be utilized for any law~~  
14 ~~enforcement purpose unless otherwise prohibited by law. The~~  
15 ~~department of state police shall provide to the secretary of~~  
16 ~~state updated lists of persons required to be registered under~~  
17 ~~the sex offenders registration act, 1994 PA 295, MCL 28.721 to~~  
18 ~~28.736, and the secretary of state shall make the images of those~~  
19 ~~persons available to the department of state police as provided~~  
20 ~~in that act.~~ **A PERSON'S DIGITAL PHOTOGRAPHIC IMAGE SHALL BE USED**  
21 **AS FOLLOWS:**

22 (A) BY A FEDERAL, STATE, OR LOCAL GOVERNMENTAL AGENCY FOR A  
23 LAW ENFORCEMENT PURPOSE AUTHORIZED BY LAW.

24 (B) BY THE SECRETARY OF STATE FOR A USE SPECIFICALLY  
25 AUTHORIZED BY LAW.

26 (C) BY THE SECRETARY OF STATE FOR FORWARDING TO THE  
27 DEPARTMENT OF STATE POLICE THE IMAGES TO PERSONS REQUIRED TO BE

1 REGISTERED UNDER THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295,  
2 MCL 28.271 TO 28.726, UPON THE DEPARTMENT OF STATE POLICE  
3 PROVIDING THE SECRETARY OF STATE AN UPDATED LIST OF THE NAMES OF  
4 THOSE PERSONS.

5 (D) AS NECESSARY TO COMPLY WITH A LAW OF THIS STATE OR OF  
6 THE UNITED STATES.

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

16 (4) In conjunction with the application for or, until  
17 January 1, 2007, the issuance of an operator's **LICENSE** or  
18 chauffeur's license, the secretary of state shall do all of the  
19 following:

20 (a) Provide the applicant with all of the following:

21 (i) Information explaining the applicant's right to make an  
22 anatomical gift in the event of death in accordance with section  
23 310.

24 (ii) Information describing the organ, tissue, and eye donor  
25 registry program. The information required under this  
26 subparagraph includes the address and telephone number of  
27 Michigan's federally designated organ procurement organization or

1 its successor organization.

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

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

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

13 (d) Provide the applicant with the opportunity to make a  
14 donation of \$1.00 or more to the organ and tissue donation  
15 education fund created under section 2170. A donation made under  
16 this subdivision shall be deposited in the state treasury to the  
17 credit of the organ and tissue donation education fund.

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

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

23 (b) Providing printed material to an applicant who  
24 personally appears at a secretary of state branch office.

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

1           (6) Until January 1, 2007, if an applicant indicates a  
2 willingness under this section to have his or her name placed on  
3 the organ donor registry described in subsection (4) (a) (ii), the  
4 secretary of state shall within 10 days forward the applicant's  
5 name, and address, and date of birth to the organ donor registry  
6 maintained by Michigan's federally designated organ procurement  
7 organization or its successor organization. The secretary of  
8 state may forward information under this subsection by mail or by  
9 electronic means. The secretary of state shall not maintain a  
10 record of the name or address of an individual who indicates a  
11 willingness to have his or her name placed on the organ donor  
12 registry after forwarding that information to the organ donor  
13 registry under this subsection. Information about an applicant's  
14 indication of a willingness to have his or her name placed on the  
15 organ donor registry that is obtained by the secretary of state  
16 under subsection (4) and forwarded under this subsection is  
17 exempt from disclosure under section 13(1)(d) of the freedom of  
18 information act, 1976 PA 442, MCL 15.243. Beginning January 1,  
19 2007, the secretary of state shall maintain a record of an  
20 individual who indicates a willingness to have his or her name  
21 placed on the registry described in subsection (4) (a) (ii) .  
22 Information about an applicant's indication of a willingness to  
23 have his or her name placed on the registry that is obtained by  
24 the secretary of state under subsection (4) and forwarded under  
25 subsection (14) is exempt from disclosure under section 13(1)(d)  
26 of the freedom of information act, 1976 PA 442, MCL 15.243.

27           (7) If an application is received from a person previously

1 licensed in another jurisdiction, the secretary of state shall  
2 request a copy of the applicant's driving record and other  
3 available information from the national driver register. When  
4 received, the driving record and other available information  
5 become a part of the driver's record in this state.

6 (8) If an application is received for an original, renewal,  
7 or upgrade of a vehicle group designation or indorsement, the  
8 secretary of state shall request the person's complete driving  
9 record from all states where the applicant was previously  
10 licensed to drive any type of motor vehicle over the last 10  
11 years before issuing a vehicle group designation or indorsement  
12 to the applicant. If the applicant does not hold a valid  
13 commercial motor vehicle driver license from a state where he or  
14 she was licensed in the last 10 years, this complete driving  
15 record request must be made not earlier than 24 hours before the  
16 secretary of state issues the applicant a vehicle group  
17 designation or indorsement. For all other drivers, this request  
18 must be made not earlier than 10 days before the secretary of  
19 state issues the applicant a vehicle group designation or  
20 indorsement. The secretary of state shall also check the  
21 applicant's driving record with the national driver register and  
22 the federal commercial driver license information system before  
23 issuing that group designation or indorsement. If the application  
24 is for the renewal of a vehicle group designation or indorsement,  
25 and if the secretary of state enters on the person's historical  
26 driving record maintained under section 204a a notation that the  
27 request was made and the date of the request, the secretary of

1 state is required to request the applicant's complete driving  
2 record from other states only once under this section.

3 (9) Except for a vehicle group designation or indorsement or  
4 as provided in this subsection or section 314(5), the secretary  
5 of state may issue a renewal operator's or chauffeur's license  
6 for 1 additional 4-year period **OR UNTIL THE PERSON IS NO LONGER**  
7 **DETERMINED TO BE LEGALLY PRESENT UNDER SECTION 307** by mail or by  
8 other methods prescribed by the secretary of state. The secretary  
9 of state may check the applicant's driving record through the  
10 national driver register and the commercial driver license  
11 information system before issuing a license under this section.  
12 The secretary of state shall issue a renewal license only in  
13 person if the person is a person required under section 5a of the  
14 sex offenders registration act, 1994 PA 295, MCL 28.725a, to  
15 maintain a valid operator's or chauffeur's license or official  
16 state personal identification card. If a license is renewed by  
17 mail or by other method, the secretary of state shall issue  
18 evidence of renewal to indicate the date the license expires in  
19 the future. The department of state police shall provide to the  
20 secretary of state updated lists of persons required under  
21 section 5a of the sex offenders registration act, 1994 PA 295,  
22 MCL 28.725a, to maintain a valid operator's or chauffeur's  
23 license or official state personal identification card.

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

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

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

6 (b) ~~Through the law enforcement information network, to~~ **TO**  
7 carry out the purposes of section ~~466(a)~~ **666(A)** of the social  
8 security act, 42 USC 666, in connection with matters relating to  
9 paternity, child support, or overdue child support.

10 (c) To check an applicant's driving record through the  
11 national driver register and the commercial driver license  
12 information system when issuing a license under this act.

13 (d) With the department of community health, for comparison  
14 with vital records maintained by the department of community  
15 health under part 28 of the public health code, 1978 PA 368, MCL  
16 333.2801 to 333.2899.

17 (e) As otherwise required by law.

18 (12) The secretary of state shall not display a person's  
19 social security number on the person's operator's or chauffeur's  
20 license.

21 (13) A requirement under this section to include a social  
22 security number on an application does not apply to an applicant  
23 who demonstrates he or she is exempt under law from obtaining a  
24 social security number. ~~or to an applicant who for religious~~  
25 ~~convictions is exempt under law from disclosure of his or her~~  
26 ~~social security number under these circumstances. The secretary~~  
27 ~~of state shall inform the applicant of this possible exemption.~~

1           (14) ~~Beginning January 1, 2007, the~~ **THE** secretary of state  
2 shall maintain the organ, tissue, and eye donor registry in a  
3 manner that provides electronic access, including, but not  
4 limited to, transfer of data to this state's federally designated  
5 organ procurement organizations, their successor organizations,  
6 and tissue and eye banks with limitations on the use of and  
7 access to the donor registry as determined by the secretary of  
8 state.

9           (15) **THE SECRETARY OF STATE, WITH THE APPROVAL OF THE STATE**  
10 **ADMINISTRATIVE BOARD CREATED UNDER 1921 PA 2, MCL 17.1 TO 17.3,**  
11 **MAY ENTER INTO AGREEMENTS WITH THE UNITED STATES GOVERNMENT TO**  
12 **VERIFY WHETHER AN APPLICANT FOR AN OPERATOR'S LICENSE OR A**  
13 **CHAUFFEUR'S LICENSE UNDER THIS SECTION WHO IS NOT A CITIZEN OF**  
14 **THE UNITED STATES IS AUTHORIZED UNDER FEDERAL LAW TO BE PRESENT**  
15 **IN THE UNITED STATES.**

16           (16) **THE SECRETARY OF STATE SHALL NOT ISSUE AN OPERATOR'S**  
17 **LICENSE OR A CHAUFFEUR'S LICENSE TO A PERSON HOLDING AN**  
18 **OPERATOR'S LICENSE OR CHAUFFEUR'S LICENSE ISSUED BY ANOTHER STATE**  
19 **WITHOUT CONFIRMATION THAT THE PERSON IS TERMINATING OR HAS**  
20 **TERMINATED THE OPERATOR'S LICENSE OR CHAUFFEUR'S LICENSE ISSUED**  
21 **BY THE OTHER STATE.**

22           (17) **THE SECRETARY OF STATE SHALL DO ALL OF THE FOLLOWING:**

23           **(A) ENSURE THE PHYSICAL SECURITY OF LOCATIONS WHERE**  
24 **OPERATOR'S LICENSES AND CHAUFFEUR'S LICENSES ARE PRODUCED AND THE**  
25 **SECURITY OF DOCUMENT MATERIALS AND PAPERS FROM WHICH OPERATOR'S**  
26 **LICENSES AND CHAUFFEUR'S LICENSES ARE PRODUCED.**

27           **(B) SUBJECT ALL PERSONS AUTHORIZED TO MANUFACTURE OR PRODUCE**



1 OPERATOR'S LICENSES OR CHAUFFEUR'S LICENSES AND ALL PERSONS WHO  
2 HAVE THE ABILITY TO AFFECT THE IDENTITY INFORMATION THAT APPEARS  
3 ON OPERATOR'S LICENSES OR CHAUFFEUR'S LICENSES TO APPROPRIATE  
4 SECURITY CLEARANCE REQUIREMENTS. THE SECURITY REQUIREMENTS OF  
5 THIS SUBDIVISION AND SUBDIVISION (A) MAY REQUIRE THAT LICENSES BE  
6 MANUFACTURED OR PRODUCED IN THIS STATE.

7 (C) PROVIDE FRAUDULENT DOCUMENT RECOGNITION PROGRAMS TO  
8 DEPARTMENT OF STATE EMPLOYEES ENGAGED IN THE ISSUANCE OF  
9 OPERATOR'S LICENSES AND CHAUFFEUR'S LICENSES.

10 Sec. 310. (1) The secretary of state shall issue an  
11 operator's license to each person licensed as an operator and a  
12 chauffeur's license to each person licensed as a chauffeur. An  
13 applicant for a motorcycle indorsement under section 312a or a  
14 vehicle group designation or indorsement shall first qualify for  
15 an operator's or chauffeur's license before the indorsement or  
16 vehicle group designation application is accepted and processed.  
17 ~~On and after July 1, 2003, an~~ **AN** original license or the first  
18 renewal of an existing license issued to a person less than 21  
19 years of age shall be portrait or vertical in form and a license  
20 issued to a person 21 years of age or over shall be landscape or  
21 horizontal in form.

22 (2) The license issued under subsection (1) shall contain  
23 all of the following: ~~information.~~

24 (a) The distinguishing number permanently assigned to the  
25 licensee.

26 (b) The full **LEGAL** name, date of birth, address of  
27 residence, height, eye color, sex, **DIGITAL PHOTOGRAPHIC** image,

1 **EXPIRATION DATE**, and signature of the licensee.

2 ~~—— (c) Until January 1, 2007, a place for the licensee to~~  
3 ~~indicate 1 or more of the following:~~

4 ~~—— (i) The blood type of the licensee.~~

5 ~~—— (ii) Immunization data of the licensee.~~

6 ~~—— (iii) Medication data of the licensee.~~

7 ~~—— (iv) A statement that the licensee is deaf.~~

8 ~~—— (v) Until January 1, 2007, a statement that the licensee is~~  
9 ~~an organ and tissue donor under part 101 of the public health~~  
10 ~~code, 1978 PA 368, MCL 333.10101 to 333.10109.~~

11 ~~—— (vi) Emergency contact information of the licensee.~~

12 ~~—— (vii) A sticker or decal as specified by the secretary of~~  
13 ~~state to indicate that the licensee has designated 1 or more~~  
14 ~~patient advocates in accordance with section 5506 of the estates~~  
15 ~~and protected individuals code, 1998 PA 386, MCL 700.5506, or a~~  
16 ~~statement that the licensee carries an emergency medical~~  
17 ~~information card.~~

18 ~~—— (d) Until January 1, 2007, if the licensee has made a~~  
19 ~~statement described in subdivision (c) (v), the signature of the~~  
20 ~~licensee following the indication of his or her organ and tissue~~  
21 ~~donor intent identified in subdivision (c) (v), along with the~~  
22 ~~signature of at least 1 witness.~~

23 ~~—— (e) In the case of a licensee who is less than 18 years of~~  
24 ~~age at the time of issuance of the license, the date on which the~~  
25 ~~licensee will become 18 years of age and 21 years of age.~~

26 ~~—— (f) In the case of a licensee who is at least 18 years of~~  
27 ~~age but less than 21 years of age at the time of issuance of the~~

1 ~~license, the date on which the licensee will become 21 years of~~  
2 ~~age.~~

3 (C) ~~(g) Beginning January 1, 2007, in~~ **IN** the case of a  
4 licensee who has indicated his or her wish to participate in the  
5 organ and tissue donor registry under part 101 of the public  
6 health code, 1978 PA 368, MCL 333.10101 to 333.10109, a heart  
7 insignia on the front of the license.

8 (D) **PHYSICAL SECURITY FEATURES DESIGNED TO PREVENT**  
9 **TAMPERING, COUNTERFEITING, OR DUPLICATION OF THE LICENSE FOR**  
10 **FRAUDULENT PURPOSES.**

11 (3) Except as otherwise required under this chapter, other  
12 information required on the license pursuant to this chapter may  
13 appear on the license in a form prescribed by the secretary of  
14 state.

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

17 (5) A digitized license may contain an identifier for voter  
18 registration purposes. The digitized license may contain  
19 information appearing in electronic or machine readable codes  
20 needed to conduct a transaction with the secretary of state. The  
21 information shall be limited to the person's driver license  
22 number, birth date, **FULL LEGAL NAME, DATE OF TRANSACTION, GENDER,**  
23 **ADDRESS, STATE OF ISSUANCE,** license expiration date, and other  
24 information necessary for use with electronic devices, machine  
25 readers, or automatic teller machines and shall not contain the  
26 ~~person's name, address, driving record,~~ or other personal  
27 identifier. The license shall identify the encoded information.

1           (6) The license shall be manufactured in a manner to  
2 prohibit as nearly as possible the ability to reproduce, alter,  
3 counterfeit, forge, or duplicate the license without ready  
4 detection. In addition, a license with a vehicle group  
5 designation shall contain the information required under 49 CFR  
6 part 383.

7           (7) Except as provided in subsection (11), a person who  
8 intentionally reproduces, alters, counterfeits, forges, or  
9 duplicates a license photograph, the negative of the photograph,  
10 image, license, or electronic data contained on a license or a  
11 part of a license or who uses a license, image, or photograph  
12 that has been reproduced, altered, counterfeited, forged, or  
13 duplicated is subject to 1 of the following:

14           (a) If the intent of the reproduction, alteration,  
15 counterfeiting, forging, duplication, or use is to commit or aid  
16 in the commission of an offense that is a felony punishable by  
17 imprisonment for 10 or more years, the person committing the  
18 reproduction, alteration, counterfeiting, forging, duplication,  
19 or use is guilty of a felony, punishable by imprisonment for not  
20 more than 10 years or a fine of not more than \$20,000.00, or  
21 both.

22           (b) If the intent of the reproduction, alteration,  
23 counterfeiting, forging, duplication, or use is to commit or aid  
24 in the commission of an offense that is a felony punishable by  
25 imprisonment for less than 10 years or a misdemeanor punishable  
26 by imprisonment for 6 months or more, the person committing the  
27 reproduction, alteration, counterfeiting, forging, duplication,

1 or use is guilty of a felony, punishable by imprisonment for not  
2 more than 5 years, or a fine of not more than \$10,000.00, or  
3 both.

4 (c) If the intent of the reproduction, alteration,  
5 counterfeiting, forging, duplication, or use is to commit or aid  
6 in the commission of an offense that is a misdemeanor punishable  
7 by imprisonment for less than 6 months, the person committing the  
8 reproduction, alteration, counterfeiting, forging, duplication,  
9 or use is guilty of a misdemeanor punishable by imprisonment for  
10 not more than 1 year or a fine of not more than \$2,000.00, or  
11 both.

12 (8) Except as provided in subsections (11) and (16), a  
13 person who sells, or who possesses with the intent to deliver to  
14 another, a reproduced, altered, counterfeited, forged, or  
15 duplicated license photograph, negative of the photograph, image,  
16 license, or electronic data contained on a license or part of a  
17 license is guilty of a felony punishable by imprisonment for not  
18 more than 5 years or a fine of not more than \$10,000.00, or both.

19 (9) Except as provided in subsections (11) and (16), a  
20 person who is in possession of 2 or more reproduced, altered,  
21 counterfeited, forged, or duplicated license photographs,  
22 negatives of the photograph, images, licenses, or electronic data  
23 contained on a license or part of a license is guilty of a felony  
24 punishable by imprisonment for not more than 5 years or a fine of  
25 not more than \$10,000.00, or both.

26 (10) Except as provided in subsection (16), a person who is  
27 in possession of a reproduced, altered, counterfeited, forged, or

1 duplicated license photograph, negative of the photograph, image,  
2 license, or electronic data contained on a license or part of a  
3 license is guilty of a misdemeanor punishable by imprisonment for  
4 not more than 1 year or a fine of not more than \$2,000.00, or  
5 both.

6 (11) Subsections (7)(a) and (b), (8), and (9) do not apply  
7 to a minor whose intent is to violate section 703 of the Michigan  
8 liquor control code of 1998, 1998 PA 58, MCL 436.1703.

9 (12) The secretary of state, upon determining after an  
10 examination that an applicant is mentally and physically  
11 qualified to receive a license, may issue the applicant a  
12 temporary driver's permit. The temporary driver's permit entitles  
13 the applicant, while having the permit in his or her immediate  
14 possession, to drive a motor vehicle upon the highway for a  
15 period not exceeding 60 days before the secretary of state has  
16 issued the applicant an operator's or chauffeur's license. The  
17 secretary of state may establish a longer duration for the  
18 validity of a temporary driver's permit if necessary to  
19 accommodate the process of obtaining a background check that is  
20 required for an applicant by federal law.

21 (13) An operator or chauffeur may indicate on the license in  
22 a place designated by the secretary of state his or her blood  
23 type, emergency contact information, immunization data,  
24 medication data, or a statement that the licensee is deaf. ~~, or,~~  
25 ~~until January 1, 2007, a statement that the licensee is an organ~~  
26 ~~and tissue donor and has made an anatomical gift under part 101~~  
27 ~~of the public health code, 1978 PA 368, MCL 333.10101 to~~

1 ~~333.10109.~~

2 (14) An operator or chauffeur may indicate on the license in  
3 a place designated by the secretary of state that he or she has  
4 designated a patient advocate in accordance with sections 5506 to  
5 ~~5513-5515~~ of the estates and protected individuals code, 1998 PA  
6 386, MCL 700.5506 to ~~700.5513-700.5515~~.

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

12 (16) Subsections (8), (9), and (10) do not apply to a person  
13 who is in possession of 1 or more photocopies, reproductions, or  
14 duplications of a license to document the identity of the  
15 licensee for a legitimate business purpose.

16 (17) ~~The~~ **A** sticker or decal ~~described in subsection~~  
17 ~~(2)(e)(vii)~~ may be provided by any person, hospital, school,  
18 medical group, or association interested in assisting in  
19 implementing ~~the~~ **AN** emergency medical information card, but shall  
20 meet the specifications of the secretary of state. ~~The~~ **AN**  
21 emergency medical information card may contain ~~the information~~  
22 ~~described in subsection (2)(e)(vi)~~, information concerning the  
23 licensee's patient advocate designation, other emergency medical  
24 information, or an indication as to where the licensee has stored  
25 or registered emergency medical information.

26 (18) ~~Beginning January 1, 2007, the~~ **THE** secretary of state  
27 shall inquire of each licensee, in person or by mail, whether the

1 licensee agrees to participate in the organ, tissue, and eye  
2 donor registry under part 101 of the public health code, 1978 PA  
3 368, MCL 333.10101 to 333.10109.

4 (19) A licensee who has agreed to participate in the organ,  
5 tissue, and eye donor registry under part 101 of the public  
6 health code, 1978 PA 368, MCL 333.10101 to 333.10109, shall not  
7 be considered to have revoked that agreement solely because the  
8 licensee's license has been revoked or suspended or has expired.  
9 Enrollment in the organ, tissue, and eye donor registry  
10 constitutes a legal agreement that remains binding and in effect  
11 after the donor's death regardless of the expressed desires of  
12 the deceased donor's next of kin who may oppose the donor's  
13 organ, tissue, or eye donation.

14 Sec. 314. (1) Except as otherwise provided in this section,  
15 operator's licenses and chauffeur's licenses expire on the  
16 birthday of the person to whom the license is issued in the  
17 fourth year following the date of the issuance of the license **OR**  
18 **ON THE DATE THE PERSON IS NO LONGER CONSIDERED TO BE LEGALLY**  
19 **PRESENT IN THE UNITED STATES UNDER SECTION 307, WHICHEVER IS**  
20 **EARLIER**, unless suspended or revoked before that date. A license  
21 shall not be issued for a period longer than 4 years. A person  
22 holding a license at any time 12 months before the expiration of  
23 his or her license may apply for a new license as provided for in  
24 this chapter. A knowledge test for an original group designation  
25 or indorsement may be taken at any time during this period and  
26 the results are valid for 12 months. A license renewed under this  
27 subsection shall be renewed for the time remaining on the license



1 before its renewal combined with the 4-year renewal period.

2 (2) The first operator's license issued to a person who at  
3 the time of application is less than 20-1/2 years of age expires  
4 on the licensee's twenty-first birthday **OR ON THE DATE THE PERSON**  
5 **IS NO LONGER CONSIDERED TO BE LEGALLY PRESENT IN THE UNITED**  
6 **STATES UNDER SECTION 307, WHICHEVER IS EARLIER,** unless suspended  
7 or revoked.

8 (3) The first chauffeur's license issued to a person expires  
9 on the licensee's birthday in the fourth year following the date  
10 of issuance **OR ON THE DATE THE PERSON IS NO LONGER CONSIDERED TO**  
11 **BE LEGALLY PRESENT IN THE UNITED STATES UNDER SECTION 307,**  
12 **WHICHEVER IS EARLIER,** unless the license is suspended or revoked  
13 before that date. The chauffeur's license of a person who at the  
14 time of application is less than 20-1/2 years of age expires on  
15 the licensee's twenty-first birthday **OR ON THE DATE THE PERSON IS**  
16 **NO LONGER CONSIDERED TO BE LEGALLY PRESENT IN THE UNITED STATES**  
17 **UNDER SECTION 307, WHICHEVER IS EARLIER,** unless suspended or  
18 revoked. A subsequent chauffeur's license expires on the birthday  
19 of the person to whom the license is issued in the fourth year  
20 following the date of issuance of the license **OR ON THE DATE THE**  
21 **PERSON IS NO LONGER CONSIDERED TO BE LEGALLY PRESENT IN THE**  
22 **UNITED STATES UNDER SECTION 307, WHICHEVER IS EARLIER,** unless the  
23 license is suspended or revoked before that date.

24 (4) A person may apply for an extension of his or her  
25 driving privileges if he or she is out of state on the date that  
26 his or her operator's or chauffeur's license expires. The  
27 extension may extend the license for 180 days beyond the

1 expiration date or not more than 2 weeks after the applicant  
2 returns to Michigan, whichever occurs first.

3 (5) Except for an operator's or chauffeur's license with a  
4 hazardous material indorsement, the secretary of state may issue  
5 a renewal operator's or chauffeur's license to a person who will  
6 be out of state for more than 180 days beyond the expiration date  
7 of his or her operator's or chauffeur's license, if the secretary  
8 of state has a digital image of the person on file. The applicant  
9 for this renewal shall submit a statement evidencing a vision  
10 examination in accordance with the rules promulgated by the  
11 secretary of state under section 309 and any other statement  
12 required by this act or federal law. A person is not eligible for  
13 consecutive renewals of a license under this subsection.

14 (6) The secretary of state may check the applicant's driving  
15 record through the national driver register and the commercial  
16 driver license information system before issuing a renewal under  
17 this section.

18 Sec. 315. (1) An operator or chauffeur who changes his or  
19 her residence before the expiration of a license granted under  
20 this chapter shall immediately notify the secretary of state of  
21 his or her new residence address. A change of address  
22 notification shall be in a manner prescribed by the secretary of  
23 state and may include notification by personally appearing at a  
24 branch office of the secretary of state or other location  
25 designated by the secretary of state, or a notification by mail,  
26 telephone, electronically, by submitting a voter registration  
27 application unless the person registers to vote in a city,

1 village, or township that prohibits the operation of motor  
2 vehicles by law or ordinance, or by any other means prescribed by  
3 the secretary of state. The secretary of state shall provide the  
4 person changing his or her residence address the notice required  
5 by section ~~307(1)(b)~~ **307(1)(C)** that, under sections 509o and 509r  
6 of the Michigan election law, 1954 PA 116, MCL 168.509o and  
7 168.509r, the secretary of state is required to use the residence  
8 address provided on this change of address application as the  
9 person's residence address on the qualified voter file for voter  
10 registration and voting. However, a person may submit to the  
11 secretary of state a mailing address that is different than his  
12 or her residence address.

13 (2) Upon receiving a change of address notification, the  
14 secretary of state shall change the person's driver license  
15 record to indicate the new residence address. The secretary of  
16 state shall provide the person with a new license or a label or  
17 some other mechanism containing the new residence address. Upon  
18 receipt of the label or other mechanism, the person shall affix  
19 the label or mechanism to his or her operator's or chauffeur's  
20 license as prescribed by the secretary of state. If the secretary  
21 of state furnished the person with a new license, the person  
22 shall destroy his or her old license and replace it with the new  
23 license.

24 (3) If a person fails to report a change of his or her  
25 residence address as required under this section and subsequently  
26 there is no response to a notice mailed to the residence address  
27 shown by the record of the secretary of state or if the person

1 has provided the secretary of state a mailing address different  
2 from his or her residence address and there is no response to a  
3 notice mailed to that mailing address, the secretary of state may  
4 immediately suspend or revoke his or her license. A person who  
5 fails to report a change of his or her residence address is  
6 responsible for a civil infraction.

7 (4) A person shall not knowingly report a change of address  
8 to the secretary of state for himself or herself that is not his  
9 or her residence address. A person shall not knowingly report a  
10 change of address to the secretary of state for another person  
11 without the consent of the other person. A person who is  
12 convicted of a violation of this subsection is guilty of a  
13 misdemeanor punishable by imprisonment for not more than 93 days  
14 or a fine of \$1,000.00, or both. Upon receiving the abstract of a  
15 conviction under this subsection, the secretary of state may  
16 suspend the person's operator's or chauffeur's license for 6  
17 months. The secretary of state shall not issue a restricted  
18 license to the person during the suspension.

19 (5) Upon a second or subsequent conviction under subsection  
20 (4), a person is guilty of a misdemeanor punishable by  
21 imprisonment for not more than 93 days or a fine of \$5,000.00, or  
22 both. Upon receiving the abstract of a second or subsequent  
23 conviction under subsection (4), the secretary of state shall  
24 revoke the person's operator's or chauffeur's license.

25 (6) The suspension or revocation of an operator's or  
26 chauffeur's license under subsection (4) or (5) is not appealable  
27 under section 323.

1           Sec. 318. The secretary of state may suspend or revoke the  
2 license ~~of a resident of this state~~ **ISSUED UNDER THIS ACT** upon  
3 receiving notice of the conviction of that person in another  
4 state of an offense in that state, or the determination of  
5 responsibility of that person in an administrative adjudication  
6 in another state for a violation in that state which, if  
7 committed in this state, would be grounds for the suspension or  
8 revocation of the license of an operator or chauffeur.

9           Sec. 511. (1) ~~(a) Whenever any~~ **IF A** person fails within 30  
10 days to satisfy ~~any~~ **A** judgment, the clerk of the court, or of the  
11 judge of a court ~~which~~ **THAT** has no clerk, in which the judgment  
12 is rendered shall forward to the secretary of state immediately  
13 upon the request of the plaintiff or ~~his~~ **PLAINTIFF'S** attorney  
14 after the expiration of 30 days an abstract of the court record  
15 of the judgment properly certified, on forms supplied by the  
16 department.

17           (2) ~~(b) Failure, refusal, or neglect to comply with the~~  
18 ~~provisions of paragraph (a) of this section shall constitute~~  
19 **SUBSECTION (1) CONSTITUTES** misconduct in office and ~~shall be~~ **IS**  
20 grounds for removal ~~therefrom~~ **FROM OFFICE**.

21           (3) ~~(c) If the defendant named in any~~ **AN** abstract of court  
22 record reported to the secretary of state **UNDER SUBSECTION (1)** is  
23 a nonresident, the secretary of state shall transmit a certified  
24 copy of the abstract of court record to the official in charge of  
25 ~~the issuance of~~ **ISSUING** licenses and registration certificates of  
26 the state ~~of which the defendant is a resident~~ **IN WHICH THE**  
27 **DEFENDANT RESIDES**.

1           Sec. 728. (1) When a person is arrested without a warrant  
2 for a violation of this act punishable as a misdemeanor, or an  
3 ordinance substantially corresponding to a provision of this act  
4 and punishable as a misdemeanor, under conditions not referred to  
5 in section 617, 619, or 727, the arresting officer shall prepare,  
6 as soon as possible and as completely as possible, an original  
7 and 3 copies of a written citation to appear in court containing  
8 the name and address of the person, the violation charged, and  
9 the time and place when and where the person shall appear in  
10 court. The officer shall inform the offender of the violation and  
11 shall give the second copy of the citation to the alleged  
12 offender. If the arrested person demands, he or she shall be  
13 arraigned by a magistrate or probate court as provided in section  
14 727 in lieu of being given the citation.

15           (2) The time specified in the citation to appear shall be  
16 within a reasonable time after the arrest.

17           (3) The place specified in the citation to appear shall be  
18 before a magistrate or probate court within the county in which  
19 the violation charged is alleged to have been committed and who  
20 has jurisdiction of the violation.

21           (4) Appearance may be made in person, by representation, or  
22 by mail. If appearance is made by representation or mail, the  
23 magistrate may accept the plea of guilty or not guilty for  
24 purposes of arraignment, with the same effect as though the  
25 person personally appeared before him or her. The magistrate, by  
26 giving 5 days' notice of the date of appearance, may require  
27 appearance in person at the time and place designated in the

1 citation.

2 (5) If a ~~person who is not a resident of this state~~  
3 **NONRESIDENT** is arrested without warrant for a violation of this  
4 act ~~which~~ **THAT** is punishable as a misdemeanor, or an ordinance  
5 substantially corresponding to a provision of this act and  
6 punishable as a misdemeanor, under conditions not referred to in  
7 section 727, the arresting officer, upon demand of the arrested  
8 person, immediately shall take the person for arraignment by a  
9 magistrate in the vicinity to answer to the complaint made  
10 against the person. If a magistrate is not available or an  
11 immediate trial cannot be had, the person arrested may recognize  
12 to the officer for his or her appearance by leaving with the  
13 officer a guaranteed appearance certificate or a sum of money not  
14 to exceed \$100.00, in which case the following provisions apply:

15 (a) The officer making the arrest shall give a receipt to  
16 the person arrested for the guaranteed appearance certificate or  
17 the money deposited together with a written citation as provided  
18 in subsection (1).

19 (b) If the alleged offender fails to appear as required in  
20 the citation, the guaranteed appearance certificate or deposit  
21 shall be forfeited as in other cases of default in bail in  
22 addition to any other penalty provided in this chapter.

23 (c) At or before the completion of his or her tour of duty,  
24 a police officer taking a certificate or deposit of money shall  
25 deliver the certificate or deposit of money either to the  
26 magistrate named in the citation together with a report of the  
27 facts relating to the arrest, or to the police chief or person

1 authorized by the police chief to receive certificates and  
2 deposits. The police chief or person authorized by the police  
3 chief shall deposit with the court the certificate or the money  
4 deposited and the citation in the same manner as prescribed for  
5 citations in section 728a. Failure to make a report and deliver  
6 the money deposited is embezzlement of public money.

7 (d) "Guaranteed appearance certificate" means a card or  
8 certificate containing a printed statement that a surety company  
9 authorized to do business in this state guarantees the appearance  
10 of the person whose signature appears on the card or certificate,  
11 and that the company, if the person fails to appear in court at  
12 the time of trial or sentencing or to pay any fines or costs  
13 imposed ~~pursuant to~~ **UNDER** this act, will pay any fine, costs, or  
14 bond forfeiture imposed on the person in a total amount not to  
15 exceed \$200.00.

16 (6) An officer making an arrest under this chapter for a  
17 misdemeanor without a warrant, except under section 727, is not  
18 entitled to any fees for making the arrest or the issuance of a  
19 citation under this section.

20 (7) An officer or magistrate ~~violating~~ **WHO VIOLATES** this  
21 section is guilty of misconduct in office and subject to removal  
22 from office.

23 (8) A police officer may issue a citation to a person who is  
24 ~~a driver~~ **AN OPERATOR** of a motor vehicle involved in an accident  
25 if, based upon personal investigation, the officer has reasonable  
26 cause to believe that the person has committed a misdemeanor  
27 under this act in connection with the accident. The officer shall



1 prepare an original and 3 copies of the citation, setting forth  
2 the name and address of the person, the violation that may be  
3 charged against the person, and the time and place of the  
4 appearance of the person in court. The citation shall inform the  
5 person of the office, bureau, or department to which requests for  
6 a change or adjournment of the court date may be made.

7 (9) If the citation is issued to a person who is operating a  
8 commercial motor vehicle, the citation shall contain the vehicle  
9 group designation and indorsement description of the vehicle  
10 operated by the person at the time of the alleged violation.

11 Sec. 749. (1) When a ~~person who is not a resident of this~~  
12 ~~state~~ **NONRESIDENT** is stopped **UNDER SECTION 742** for a civil  
13 infraction, ~~pursuant to section 742,~~ the police officer making  
14 the stop shall take that person's ~~driver's~~ **OPERATOR'S** license **OR**  
15 **CHAUFFEUR'S LICENSE** as security for the nonresident's appearance  
16 in court and satisfaction of any order ~~which~~ **THAT** may be issued  
17 under section 907 and shall issue to that person a citation as  
18 provided in sections 727c and 742. At or before the completion of  
19 his or her tour of duty, a police officer taking the ~~driver's~~  
20 **OPERATOR'S** license **OR CHAUFFEUR'S LICENSE** shall deliver ~~the~~  
21 ~~driver's~~ **THAT** license either to the court named in the citation  
22 or to the police chief or person authorized by the police chief  
23 to receive citations and ~~drivers'~~ **OPERATOR'S** licenses **AND**  
24 **CHAUFFEUR'S LICENSES**. The police chief or person authorized shall  
25 deposit the ~~driver's~~ license and citation with the court in the  
26 same manner as prescribed for citations in section 728a. Failure  
27 to deliver the license shall be considered contempt of court. If

1 the person does not have a ~~AN OPERATOR'S~~ license **OR A CHAUFFEUR'S**  
2 **LICENSE** in immediate possession in violation of section 301 or a  
3 license or the receipt described in section 311a in violation of  
4 section 311, the officer shall arrest that person ~~pursuant to~~  
5 **UNDER** section ~~727(4)~~ **727(D)**.

6 (2) In lieu of the officer's taking of the license under  
7 subsection (1) or before appearance in court, the person stopped  
8 may recognize to the officer or to the court for his or her  
9 appearance by leaving with the officer or court a guaranteed  
10 appearance certificate or a sum of money not to exceed \$100.00.

11 (3) If a magistrate is available for an immediate  
12 appearance, upon demand of the person stopped, the officer  
13 immediately shall take the nonresident driver before the  
14 magistrate to answer to the civil infraction alleged. Upon entry  
15 of an admission of responsibility for the civil infraction, with  
16 or without explanation, or upon completion of an informal  
17 hearing, the defendant's license shall be returned if judgment is  
18 entered for the defendant, if any adverse judgment entered  
19 against the defendant is satisfied, or if the defendant leaves  
20 with the court a guaranteed appearance certificate or a sum of  
21 money not to exceed \$100.00 as security for payment of any fines  
22 or costs ordered. If the nonresident defendant requests a formal  
23 hearing, the hearing shall be scheduled as provided in section  
24 747 but the defendant's license shall be retained by the court  
25 until final resolution of the matter unless the defendant leaves  
26 with the court the guaranteed appearance certificate or deposit  
27 as provided in subsection (2) as security for appearance at the

1 scheduled formal hearing.

2 (4) The officer receiving a guaranteed appearance  
3 certificate or deposit of money under subsection (2) shall give a  
4 receipt to the person stopped for the guaranteed appearance  
5 certificate or the money deposited together with the written  
6 citation required under subsection (1).

7 (5) At or before the completion of his or her tour of duty a  
8 police officer taking a certificate or deposit of money shall  
9 deliver the certificate or deposit of money and the citation  
10 either to the court named in the citation, or to the police chief  
11 or person authorized by the police chief to receive certificates  
12 or deposits. The police chief or person authorized shall deposit  
13 the certificate or the money deposited and the citation with the  
14 court in the same manner as prescribed for citations in section  
15 728a. Failure to deliver the money deposited shall be  
16 embezzlement of public money.

17 (6) If the person who posts a certificate or deposit fails  
18 to appear as required in the citation or for a scheduled formal  
19 hearing, the court having jurisdiction and venue over the civil  
20 infraction shall enter a default judgment against the person, and  
21 the guaranteed appearance certificate or money deposited shall be  
22 forfeited and applied to any civil fine or costs ordered ~~pursuant~~  
23 ~~to~~ **UNDER** section 907.

24 (7) For purposes of this section, "guaranteed appearance  
25 certificate" means a card or certificate containing a printed  
26 statement that a surety company authorized to do business in this  
27 state guarantees the appearance of the person whose signature

1 appears on the card or certificate, and that the company, if the  
 2 person fails to appear in court at the time of a scheduled  
 3 informal or formal hearing or to pay any fine or costs imposed  
 4 pursuant to ~~UNDER~~ section 907, will pay any fine, costs, or bond  
 5 forfeiture imposed on the person in a total amount not to exceed  
 6 \$200.00.

7           Sec. 801. (1) The secretary of state shall collect the  
 8 following taxes at the time of registering a vehicle, which shall  
 9 exempt the vehicle from all other state and local taxation,  
 10 except the fees and taxes provided by law to be paid by certain  
 11 carriers operating motor vehicles and trailers under the motor  
 12 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed  
 13 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to  
 14 207.234; and except as otherwise provided by this act:

15           (a) For a motor vehicle, including a motor home, except as  
 16 otherwise provided, and a pickup truck or van that weighs not  
 17 more than 8,000 pounds, except as otherwise provided, according  
 18 to the following schedule of empty weights:

19           Empty weights	Tax
20           0 to 3,000 pounds.....	\$ 29.00
21           3,001 to 3,500 pounds.....	32.00
22           3,501 to 4,000 pounds.....	37.00
23           4,001 to 4,500 pounds.....	43.00
24           4,501 to 5,000 pounds.....	47.00
25           5,001 to 5,500 pounds.....	52.00
26           5,501 to 6,000 pounds.....	57.00
27           6,001 to 6,500 pounds.....	62.00
28           6,501 to 7,000 pounds.....	67.00

1	7,001 to 7,500 pounds.....	71.00
2	7,501 to 8,000 pounds.....	77.00
3	8,001 to 8,500 pounds.....	81.00
4	8,501 to 9,000 pounds.....	86.00
5	9,001 to 9,500 pounds.....	91.00
6	9,501 to 10,000 pounds.....	95.00
7	over 10,000 pounds.....\$ 0.90 per 100 pounds	
8		of empty weight

9           On October 1, 1983, and October 1, 1984, the tax assessed  
10 under this subdivision shall be annually revised for the  
11 registrations expiring on the appropriate October 1 or after that  
12 date by multiplying the tax assessed in the preceding fiscal year  
13 times the personal income of Michigan for the preceding calendar  
14 year divided by the personal income of Michigan for the calendar  
15 year that preceded that calendar year. In performing the  
16 calculations under this subdivision, the secretary of state shall  
17 use the spring preliminary report of the United States department  
18 of commerce or its successor agency. A van that is owned by an  
19 individual who uses a wheelchair or by an individual who  
20 transports a ~~resident~~**MEMBER** of his or her household who uses a  
21 wheelchair and for which registration plates are issued under  
22 section 803d shall be assessed at the rate of 50% of the tax  
23 provided for in this subdivision.

24           (b) For a trailer coach attached to a motor vehicle, the tax  
25 shall be assessed as provided in subdivision (l). A trailer coach  
26 not under 1959 PA 243, MCL 125.1035 to 125.1043, and while  
27 located on land otherwise assessable as real property under the

1 general property tax act, 1893 PA 206, MCL 211.1 to 211.157, if  
2 the trailer coach is used as a place of habitation, and whether  
3 or not permanently affixed to the soil, is not exempt from real  
4 property taxes.

5 (c) For a road tractor, truck, or truck tractor owned by a  
6 farmer and used exclusively in connection with a farming  
7 operation, including a farmer hauling livestock or farm equipment  
8 for other farmers for remuneration in kind or in labor, but not  
9 for money, or used for the transportation of the farmer and the  
10 farmer's family, and not used for hire, 74 cents per 100 pounds  
11 of empty weight of the road tractor, truck, or truck tractor. If  
12 the road tractor, truck, or truck tractor owned by a farmer is  
13 also used for a nonfarming operation, the farmer is subject to  
14 the highest registration tax applicable to the nonfarm use of the  
15 vehicle but is not subject to more than 1 tax rate under this  
16 act.

17 (d) For a road tractor, truck, or truck tractor owned by a  
18 wood harvester and used exclusively in connection with the wood  
19 harvesting operations or a truck used exclusively to haul milk  
20 from the farm to the first point of delivery, 74 cents per 100  
21 pounds of empty weight of the road tractor, truck, or truck  
22 tractor. A registration secured by payment of the tax prescribed  
23 in this subdivision continues in full force and effect until the  
24 regular expiration date of the registration. As used in this  
25 subdivision:

26 (i) "Wood harvester" includes the person or persons hauling  
27 and transporting raw materials in the form produced at the

1 harvest site or hauling and transporting wood harvesting  
2 equipment. Wood harvester does not include a person or persons  
3 whose primary activity is tree-trimming or landscaping.

4 (ii) "Wood harvesting equipment" includes all of the  
5 following:

6 (A) A vehicle that directly harvests logs or timber,  
7 including, but not limited to, a processor or a feller buncher.

8 (B) A vehicle that directly processes harvested logs or  
9 timber, including, but not limited to, a slasher, delimeter,  
10 processor, chipper, or saw table.

11 (C) A vehicle that directly processes harvested logs or  
12 timber, including, but not limited to, a forwarder, grapple  
13 skidder, or cable skidder.

14 (D) A vehicle that directly loads harvested logs or timber,  
15 including, but not limited to, a knucle-boom loader, front-end  
16 loader, or forklift.

17 (E) A bulldozer or road grader being transported to a wood  
18 harvesting site specifically for the purpose of building or  
19 maintaining harvest site roads.

20 (iii) "Wood harvesting operations" does not include the  
21 transportation of processed lumber, Christmas trees, or processed  
22 firewood for a profit making venture.

23 (e) For a hearse or ambulance used exclusively by a licensed  
24 funeral director in the general conduct of the licensee's funeral  
25 business, including a hearse or ambulance whose owner is engaged  
26 in the business of leasing or renting the hearse or ambulance to  
27 others, \$1.17 per 100 pounds of the empty weight of the hearse or

1 ambulance.

2 (f) For a vehicle owned and operated by this state, a state  
3 institution, a municipality, a privately incorporated, nonprofit  
4 volunteer fire department, or a nonpublic, nonprofit college or  
5 university, \$5.00 per plate. A registration plate issued under  
6 this subdivision expires on June 30 of the year in which new  
7 registration plates are reissued for all vehicles by the  
8 secretary of state.

9 (g) For a bus including a station wagon, carryall, or  
10 similarly constructed vehicle owned and operated by a nonprofit  
11 parents' transportation corporation used for school purposes,  
12 parochial school or society, church Sunday school, or any other  
13 grammar school, or by a nonprofit youth organization or nonprofit  
14 rehabilitation facility; or a motor vehicle owned and operated by  
15 a senior citizen center, \$10.00, if the bus, station wagon,  
16 carryall, or similarly constructed vehicle or motor vehicle is  
17 designated by proper signs showing the organization operating the  
18 vehicle.

19 (h) For a vehicle owned by a nonprofit organization and used  
20 to transport equipment for providing dialysis treatment to  
21 children at camp; for a vehicle owned by the civil air patrol, as  
22 organized under 36 USC 40301 to 40307, \$10.00 per plate, if the  
23 vehicle is designated by a proper sign showing the civil air  
24 patrol's name; for a vehicle owned and operated by a nonprofit  
25 veterans center; for a vehicle owned and operated by a nonprofit  
26 recycling center or a federally recognized nonprofit conservation  
27 organization; for a motor vehicle having a truck chassis and a



1 locomotive or ship's body that is owned by a nonprofit veterans  
2 organization and used exclusively in parades and civic events; or  
3 for an emergency support vehicle used exclusively for emergencies  
4 and owned and operated by a federally recognized nonprofit  
5 charitable organization, \$10.00 per plate.

6 (i) For each truck owned and operated free of charge by a  
7 bona fide ecclesiastical or charitable corporation, or red cross,  
8 girl scout, or boy scout organization, 65 cents per 100 pounds of  
9 the empty weight of the truck.

10 (j) For each truck, weighing 8,000 pounds or less, and not  
11 used to tow a vehicle, for each privately owned truck used to tow  
12 a trailer for recreational purposes only and not involved in a  
13 profit making venture, and for each vehicle designed and used to  
14 tow a mobile home or a trailer coach, except as provided in  
15 subdivision (b), \$38.00 or an amount computed according to the  
16 following schedule of empty weights, whichever is greater:

17	Empty weights	Per 100 pounds
18	0 to 2,500 pounds.....	\$ 1.40
19	2,501 to 4,000 pounds.....	1.76
20	4,001 to 6,000 pounds.....	2.20
21	6,001 to 8,000 pounds.....	2.72
22	8,001 to 10,000 pounds.....	3.25
23	10,001 to 15,000 pounds.....	3.77
24	15,001 pounds and over.....	4.39

25 If the tax required under subdivision (p) for a vehicle of  
26 the same model year with the same list price as the vehicle for  
27 which registration is sought under this subdivision is more than

1 the tax provided under the preceding provisions of this  
 2 subdivision for an identical vehicle, the tax required under this  
 3 subdivision is not less than the tax required under subdivision  
 4 (p) for a vehicle of the same model year with the same list  
 5 price.

6 (k) For each truck weighing 8,000 pounds or less towing a  
 7 trailer or any other combination of vehicles and for each truck  
 8 weighing 8,001 pounds or more, road tractor or truck tractor,  
 9 except as provided in subdivision (j) according to the following  
 10 schedule of elected gross weights:

11 Elected gross weight	Tax
12 0 to 24,000 pounds.....	\$ 491.00
13 24,001 to 26,000 pounds.....	558.00
14 26,001 to 28,000 pounds.....	558.00
15 28,001 to 32,000 pounds.....	649.00
16 32,001 to 36,000 pounds.....	744.00
17 36,001 to 42,000 pounds.....	874.00
18 42,001 to 48,000 pounds.....	1,005.00
19 48,001 to 54,000 pounds.....	1,135.00
20 54,001 to 60,000 pounds.....	1,268.00
21 60,001 to 66,000 pounds.....	1,398.00
22 66,001 to 72,000 pounds.....	1,529.00
23 72,001 to 80,000 pounds.....	1,660.00
24 80,001 to 90,000 pounds.....	1,793.00
25 90,001 to 100,000 pounds.....	2,002.00
26 100,001 to 115,000 pounds.....	2,223.00
27 115,001 to 130,000 pounds.....	2,448.00
28 130,001 to 145,000 pounds.....	2,670.00

1	145,001 to 160,000 pounds.....	2,894.00
2	over 160,000 pounds.....	3,117.00

3 For each commercial vehicle registered under this  
4 subdivision, \$15.00 shall be deposited in a truck safety fund to  
5 be expended for the purposes prescribed in section 25 of 1951 PA  
6 51, MCL 247.675.

7 If a truck or road tractor without trailer is leased from an  
8 individual owner-operator, the lessee, whether a person, firm, or  
9 corporation, shall pay to the owner-operator 60% of the tax  
10 prescribed in this subdivision for the truck tractor or road  
11 tractor at the rate of 1/12 for each month of the lease or  
12 arrangement in addition to the compensation the owner-operator is  
13 entitled to for the rental of his or her equipment.

14 (l) For each pole trailer, semitrailer, trailer coach, or  
15 trailer, the tax shall be assessed according to the following  
16 schedule of empty weights:

17	Empty weights	Tax
18	0 to 2,499 pounds.....	\$ 75.00
19	2,500 to 9,999 pounds.....	200.00
20	10,000 pounds and over.....	300.00

21 The registration plate issued under this subdivision expires  
22 only when the secretary of state reissues a new registration  
23 plate for all trailers. Beginning October 1, 2005, if the  
24 secretary of state reissues a new registration plate for all  
25 trailers, a person who has once paid the tax as increased by 2003

1 PA 152 for a vehicle under this subdivision is not required to  
2 pay the tax for that vehicle a second time, but is required to  
3 pay only the cost of the reissued plate at the rate provided in  
4 section 804(2) for a standard plate. A registration plate issued  
5 under this subdivision is nontransferable.

6 (m) For each commercial vehicle used for the transportation  
7 of passengers for hire except for a vehicle for which a payment  
8 is made under 1960 PA 2, MCL 257.971 to 257.972, according to the  
9 following schedule of empty weights:

10	Empty weights	Per 100 pounds
11	0 to 4,000 pounds.....	\$ 1.76
12	4,001 to 6,000 pounds.....	2.20
13	6,001 to 10,000 pounds.....	2.72
14	10,001 pounds and over.....	3.25
15		
16	(n) For each motorcycle.....	\$ 23.00

17 On October 1, 1983, and October 1, 1984, the tax assessed  
18 under this subdivision shall be annually revised for the  
19 registrations expiring on the appropriate October 1 or after that  
20 date by multiplying the tax assessed in the preceding fiscal year  
21 times the personal income of Michigan for the preceding calendar  
22 year divided by the personal income of Michigan for the calendar  
23 year that preceded that calendar year. In performing the  
24 calculations under this subdivision, the secretary of state shall  
25 use the spring preliminary report of the United States department  
26 of commerce or its successor agency.

27 Beginning January 1, 1984, the registration tax for each

1 motorcycle is increased by \$3.00. The \$3.00 increase is not part  
2 of the tax assessed under this subdivision for the purpose of the  
3 annual October 1 revisions but is in addition to the tax assessed  
4 as a result of the annual October 1 revisions. Beginning January  
5 1, 1984, \$3.00 of each motorcycle fee shall be placed in a  
6 motorcycle safety fund in the state treasury and shall be used  
7 only for funding the motorcycle safety education program as  
8 provided for under sections 312b and 811a.

9 (o) For each truck weighing 8,001 pounds or more, road  
10 tractor, or truck tractor used exclusively as a moving van or  
11 part of a moving van in transporting household furniture and  
12 household effects or the equipment or those engaged in conducting  
13 carnivals, at the rate of 80% of the schedule of elected gross  
14 weights in subdivision (k) as modified by the operation of that  
15 subdivision.

16 (p) After September 30, 1983, each motor vehicle of the 1984  
17 or a subsequent model year as shown on the application required  
18 under section 217 that has not been previously subject to the tax  
19 rates of this section and that is of the motor vehicle category  
20 otherwise subject to the tax schedule described in subdivision  
21 (a), and each low-speed vehicle according to the following  
22 schedule based upon registration periods of 12 months:

23 (i) Except as otherwise provided in this subdivision, for the  
24 first registration that is not a transfer registration under  
25 section 809 and for the first registration after a transfer  
26 registration under section 809, according to the following  
27 schedule based on the vehicle's list price:

	List Price	Tax
1		
2	\$ 0 - \$ 6,000.00.....	\$ 30.00
3	More than \$ 6,000.00 - \$ 7,000.00.....	\$ 33.00
4	More than \$ 7,000.00 - \$ 8,000.00.....	\$ 38.00
5	More than \$ 8,000.00 - \$ 9,000.00.....	\$ 43.00
6	More than \$ 9,000.00 - \$ 10,000.00.....	\$ 48.00
7	More than \$ 10,000.00 - \$ 11,000.00.....	\$ 53.00
8	More than \$ 11,000.00 - \$ 12,000.00.....	\$ 58.00
9	More than \$ 12,000.00 - \$ 13,000.00.....	\$ 63.00
10	More than \$ 13,000.00 - \$ 14,000.00.....	\$ 68.00
11	More than \$ 14,000.00 - \$ 15,000.00.....	\$ 73.00
12	More than \$ 15,000.00 - \$ 16,000.00.....	\$ 78.00
13	More than \$ 16,000.00 - \$ 17,000.00.....	\$ 83.00
14	More than \$ 17,000.00 - \$ 18,000.00.....	\$ 88.00
15	More than \$ 18,000.00 - \$ 19,000.00.....	\$ 93.00
16	More than \$ 19,000.00 - \$ 20,000.00.....	\$ 98.00
17	More than \$ 20,000.00 - \$ 21,000.00.....	\$ 103.00
18	More than \$ 21,000.00 - \$ 22,000.00.....	\$ 108.00
19	More than \$ 22,000.00 - \$ 23,000.00.....	\$ 113.00
20	More than \$ 23,000.00 - \$ 24,000.00.....	\$ 118.00
21	More than \$ 24,000.00 - \$ 25,000.00.....	\$ 123.00
22	More than \$ 25,000.00 - \$ 26,000.00.....	\$ 128.00
23	More than \$ 26,000.00 - \$ 27,000.00.....	\$ 133.00
24	More than \$ 27,000.00 - \$ 28,000.00.....	\$ 138.00
25	More than \$ 28,000.00 - \$ 29,000.00.....	\$ 143.00
26	More than \$ 29,000.00 - \$ 30,000.00.....	\$ 148.00

27 More than \$30,000.00, the tax of \$148.00 is increased by  
28 \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00  
29 increment over \$30,000.00. If a current tax increases or

1 decreases as a result of 1998 PA 384, only a vehicle purchased or  
2 transferred after January 1, 1999 shall be assessed the increased  
3 or decreased tax.

4 (ii) For the second registration, 90% of the tax assessed  
5 under subparagraph (i).

6 (iii) For the third registration, 90% of the tax assessed  
7 under subparagraph (ii).

8 (iv) For the fourth and subsequent registrations, 90% of the  
9 tax assessed under subparagraph (iii).

10 For a vehicle of the 1984 or a subsequent model year that  
11 has been previously registered by a person other than the person  
12 applying for registration or for a vehicle of the 1984 or a  
13 subsequent model year that has been previously registered in  
14 another state or country and is registered for the first time in  
15 this state, the tax under this subdivision shall be determined by  
16 subtracting the model year of the vehicle from the calendar year  
17 for which the registration is sought. If the result is zero or a  
18 negative figure, the first registration tax shall be paid. If the  
19 result is 1, 2, or 3 or more, then, respectively, the second,  
20 third, or subsequent registration tax shall be paid. A van that  
21 is owned by an individual who uses a wheelchair or by an  
22 individual who transports a ~~resident~~ **MEMBER** of his or her  
23 household who uses a wheelchair and for which registration plates  
24 are issued under section 803d shall be assessed at the rate of  
25 50% of the tax provided for in this subdivision.

26 (q) For a wrecker, \$200.00.

27 (r) When the secretary of state computes a tax under this

1 section, a computation that does not result in a whole dollar  
2 figure shall be rounded to the next lower whole dollar when the  
3 computation results in a figure ending in 50 cents or less and  
4 shall be rounded to the next higher whole dollar when the  
5 computation results in a figure ending in 51 cents or more,  
6 unless specific taxes are specified, and the secretary of state  
7 may accept the manufacturer's shipping weight of the vehicle  
8 fully equipped for the use for which the registration application  
9 is made. If the weight is not correctly stated or is not  
10 satisfactory, the secretary of state shall determine the actual  
11 weight. Each application for registration of a vehicle under  
12 subdivisions (j) and (m) shall have attached to the application a  
13 scale weight receipt of the vehicle fully equipped as of the time  
14 the application is made. The scale weight receipt is not  
15 necessary if there is presented with the application a  
16 registration receipt of the previous year that shows on its face  
17 the weight of the motor vehicle as registered with the secretary  
18 of state and that is accompanied by a statement of the applicant  
19 that there has not been a structural change in the motor vehicle  
20 that has increased the weight and that the previous registered  
21 weight is the true weight.

22 (2) A manufacturer is not exempted under this act from  
23 paying ad valorem taxes on vehicles in stock or bond, except on  
24 the specified number of motor vehicles registered. A dealer is  
25 exempt from paying ad valorem taxes on vehicles in stock or bond.

26 (3) Until October 1, 2009, the tax for a vehicle with an  
27 empty weight over 10,000 pounds imposed under subsection (1)(a)



1 and the taxes imposed under subsection (1)(c), (d), (e), (f),  
2 (i), (j), (m), (o), and (p) are each increased as follows:

3 (a) A regulatory fee of \$2.25 that shall be credited to the  
4 traffic law enforcement and safety fund created in section 819a  
5 and used to regulate highway safety.

6 (b) A fee of \$5.75 that shall be credited to the  
7 transportation administration collection fund created in section  
8 810b.

9 (4) If a tax required to be paid under this section is not  
10 received by the secretary of state on or before the expiration  
11 date of the registration plate, the secretary of state shall  
12 collect a late fee of \$10.00 for each registration renewed after  
13 the expiration date. An application for a renewal of a  
14 registration using the regular mail and postmarked before the  
15 expiration date of that registration shall not be assessed a late  
16 fee. The late fee collected under this subsection shall be  
17 deposited into the general fund.

18 (5) As used in this section:

19 (a) "Gross proceeds" means that term as defined in section 1  
20 of the general sales tax act, 1933 PA 167, MCL 205.51, and  
21 includes the value of the motor vehicle used as part payment of  
22 the purchase price as that value is agreed to by the parties to  
23 the sale, as evidenced by the signed agreement executed under  
24 section 251.

25 (b) "List price" means the manufacturer's suggested base  
26 list price as published by the secretary of state, or the  
27 manufacturer's suggested retail price as shown on the label

1 required to be affixed to the vehicle under 15 USC 1232, if the  
2 secretary of state has not at the time of the sale of the vehicle  
3 published a manufacturer's suggested retail price for that  
4 vehicle, or the purchase price of the vehicle if the  
5 manufacturer's suggested base list price is unavailable from the  
6 sources described in this subdivision.

7 (c) "Purchase price" means the gross proceeds received by  
8 the seller in consideration of the sale of the motor vehicle  
9 being registered.

10 Sec. 814. (a) ~~Whenever it shall appear~~ **IF IT APPEARS TO THE**  
11 **SECRETARY OF STATE** that ~~the~~ **A** motor vehicle was purchased by ~~the~~  
12 **AN** applicant in ~~any~~ **A** state other than Michigan ~~THIS STATE~~,  
13 unless the applicant produces a certificate of title ~~duly~~ issued  
14 to ~~him~~ **THE APPLICANT** under the laws of ~~such~~ **THAT** state, or **A**  
15 certificate of registration or registered bill of sale **ISSUED**  
16 under the ~~provisions of the laws of such states~~ **ANOTHER STATE**  
17 showing **THE** applicant for **A** Michigan certificate of title to have  
18 ~~been resident of~~ **RESIDED IN** the state which has ~~that~~ issued such  
19 **THE** certificate of title, **CERTIFICATE OF** registration, or  
20 registered bill of sale, ~~it shall be the duty of the secretary of~~  
21 state ~~to~~ **SHALL** conduct an investigation of ~~said~~ **THE** purchase and  
22 sale and of the title to ~~said~~ **THE** motor vehicle. ~~The~~ **IF THE**  
23 secretary of state ~~, if~~ **IS** satisfied that the applicant is the  
24 owner of ~~such~~ **THE** motor vehicle, or **IS** otherwise entitled to have  
25 ~~the same registered in his~~ **REGISTER THE MOTOR VEHICLE IN THE**  
26 **APPLICANT'S** name, ~~shall thereupon~~ **THE SECRETARY OF STATE SHALL**  
27 issue to the applicant an appropriate certificate of title ~~in~~

1 ~~accordance with~~ **UNDER** section 217. ~~of this act.~~ Before the  
2 secretary of state ~~shall issue such a~~ **ISSUES THE** certificate of  
3 title, the applicant shall attach to ~~his~~ **THE** application a  
4 statement showing the amount of use tax due upon the motor  
5 vehicle described in the application on a form prescribed by the  
6 state ~~board of tax administration~~ **TREASURER**, together with the  
7 amount of the use tax due upon ~~such~~ **THE** motor vehicle, under the  
8 ~~provisions of Act No. 94 of the Public Acts of 1937, except that~~  
9 ~~when such~~ **USE TAX ACT, 1937 PA 94, MCL 205.91 TO 205.111.**

10 **HOWEVER, IF THE** motor vehicle is exempt by law from the payment  
11 of use tax, no ~~such~~ **USE** tax shall be paid.

12 (b) ~~It shall be the duty of the~~ **THE** secretary of state ~~to~~  
13 ~~forthwith~~ **SHALL** transmit ~~such~~ **THE** statement and the funds  
14 **COLLECTED UNDER SUBDIVISION (A)** covering the payment of the use  
15 tax to the state ~~board of tax administration~~ **TREASURER**. The  
16 secretary of state shall not issue a certificate of title ~~on any~~  
17 ~~such~~ **FOR A** motor vehicles **VEHICLE** until the ~~provisions hereof~~  
18 ~~with respect to the payment of the use tax have been complied~~  
19 ~~with~~ **REQUIREMENTS OF THIS SECTION ARE SATISFIED.** All owners of  
20 ~~motor vehicles purchased without the state of Michigan who shall~~  
21 ~~have~~ **AN OWNER OF A MOTOR VEHICLE PURCHASED OUTSIDE OF THIS STATE**  
22 **WHO** paid the use tax to the secretary of state, ~~as herein~~  
23 ~~provided,~~ shall not be **UNDER THIS SECTION IS NOT** required to  
24 comply with sections 6, 7, and 8 of Act No. 94 of the Public Acts  
25 of 1937 of the state of Michigan **THE USE TAX ACT, 1937 PA 94, MCL**  
26 **205.96, 205.97, AND 205.98.**

27 (c) ~~Any person owning~~ **AN OWNER OF** a motor vehicle purchased

1 from a Michigan dealer **IN THIS STATE** without application of sales  
 2 tax ~~by reason of the exercise of any of the provisions of~~  
 3 ~~subsection (j) of section 4a of Act No. 167 of the Public Acts of~~  
 4 ~~1933, as amended, being sections 205.51 to 205.78 of the Compiled~~  
 5 ~~Laws of 1948~~ **DUE TO AN EXEMPTION UNDER SECTION 4A OF THE GENERAL**  
 6 **SALES TAX ACT, 1933 PA 167, MCL 205.54A**, who later by reason of  
 7 storage or use is required to register ~~such~~ **THE** vehicle in  
 8 Michigan **THIS STATE** shall pay a use tax at **THE** time of  
 9 registration, ~~except when such vehicle is exempt by law,~~ computed  
 10 on the retail dollar value of a like vehicle, **EXCEPT WHEN THE**  
 11 **MOTOR VEHICLE IS EXEMPT FROM THE USE TAX**. The secretary of state  
 12 shall use as his **OR HER** guide the retail dollar value ~~as is shown~~  
 13 ~~in~~ **FROM** the current issue of any nationally recognized used  
 14 vehicle guide for financial institution appraisal purposes in  
 15 Michigan **THIS STATE**.

16       Sec. 819. (1) Except as provided in subsections (2) and (3),  
 17 revenue from the increases in fees provided in ~~the~~ 1987  
 18 ~~amendatory act that added this section is appropriated to PA 232~~  
 19 **SHALL BE DEPOSITED IN** the transportation economic development  
 20 fund **ESTABLISHED IN SECTION 2 OF 1987 PA 231, MCL 247.902**, and  
 21 shall not be appropriated for any other purpose in any act making  
 22 appropriations of state funds.

23 ~~—— (2) For the fiscal year ending September 30, 1988, of the~~  
 24 ~~revenue from the increases in fees provided by the 1987~~  
 25 ~~amendatory act that added this section, \$1,350,000.00 shall be~~  
 26 ~~deposited in the state treasury and credited to the general fund,~~  
 27 ~~except that not more than \$500,000.00 shall be credited to the~~

1 ~~gasoline inspection and testing fund created in section 8 of Act~~  
2 ~~No. 44 of the Public Acts of 1984, being section 290.648 of the~~  
3 ~~Michigan Compiled Laws, and \$100,000.00 shall be used during~~  
4 ~~either the fiscal year ending September 30, 1990, or the fiscal~~  
5 ~~year ending September 30, 1991, for research of products derived~~  
6 ~~from corn grown in this state for, but not limited to~~  
7 ~~transportation purposes as described in section 9 of article IX~~  
8 ~~of the state constitution of 1963.~~

9       (2) ~~(3)~~ For the fiscal year ending September 30, 1989, and  
10 each fiscal year thereafter, of the revenue from the increases in  
11 fees provided in the ~~1987 amendatory act that added this section~~  
12 **PA 232**, \$2,500,000.00 shall be deposited in the state treasury  
13 and credited to the general fund, except that not more than  
14 \$1,000,000.00 shall be credited to the gasoline inspection and  
15 testing fund **ESTABLISHED IN SECTION 8 OF THE MOTOR FUELS QUALITY**  
16 **ACT, 1984 PA 44, MCL 290.648.**