

# HOUSE BILL No. 6210

May 26, 2010, Introduced by Reps. Paul Scott, Opsommer and Amash and referred to the Committee on Transportation.

A bill to prohibit the inclusion of certain facilitative technology devices in driver licenses; and to disallow state participation in certain programs, compacts, or other agreements.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. As used in this act:

2       (a) "Driver license" means an operator's or chauffeur's  
3       license issued under the Michigan vehicle code, 1949 PA 300, MCL  
4       257.1 to 257.923, or any other noncommercial license that  
5       authorizes an individual to operate a motor vehicle in this state,  
6       and includes any personal identification card issued by the  
7       secretary of state or its agents.

8       (b) "Facilitative technology" means an electronic radio  
9       frequency identification or other device that stores information  
10      and is designed to transmit that information by means of radio

1 waves to a reader or receiver. Facilitative technology also  
2 includes any other device or application capable of having stored  
3 information read by a reader or receiver if the device and receiver  
4 can share information when there is not an ordinary line of clear  
5 sight between the device and receiver as is typical with other  
6 machine readable technologies such as magnetic strips or bar codes.

7       Sec. 3. This state, either on its own or when entering into  
8 any program, compact, memorandum of understanding, or other  
9 interstate, federal, or international agreement that would require  
10 it, shall not embed, print, or otherwise incorporate facilitative  
11 technology with a driver license regardless of the name or title  
12 given to the program, compact, memorandum, or agreement.

13       Sec. 4. If this state enters into any program, compact,  
14 memorandum of understanding, or other interstate, federal, or  
15 international agreement that requires it to take actions in  
16 violation of section 3, or finds itself in the future to be in  
17 violation of section 3, the appropriate state bodies shall by the  
18 force of law be immediately compelled to begin negotiations to  
19 change the terms of any program or agreement so that the state is  
20 no longer in violation. If, after 30 days, the program or agreement  
21 has not been successfully negotiated, the state shall take steps  
22 within an additional 30 days to terminate the agreement or  
23 otherwise cease its participation.