

HOUSE BILL No. 6397

August 24, 2010, Introduced by Reps. Byrnes, Donigan, Leland and Miller and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811 (MCL 257.811), as amended by 2006 PA 589.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 811. (1) An application for an original operator's or
2 an original or renewal chauffeur's license as provided in
3 sections 307 and 312 and an application for an original minor's
4 restricted license as provided in section 312 shall be
5 accompanied by the following fees:

6	Operator's license.....	\$ 25.00
7	Chauffeur's license.....	35.00
8	Minor's restricted license.....	25.00

9 The renewal fee for an operator's license renewed under this

1 section is \$18.00. However, if an operator's license is expired
2 at the time of the renewal, the fee is the same as the original
3 fee, except as provided in subsection (4). The date of an
4 application for a renewal of an operator's license under this
5 section that is delivered to the secretary of state by regular
6 mail is the postmark date in determining the fee to be assessed.

7 (2) The secretary of state shall deposit the money received
8 and collected under subsection (1) in the state treasury to the
9 credit of the general fund. The secretary of state shall refund
10 out of the fees collected to each county or municipality acting
11 as an examining officer or examining bureau \$2.50 for each
12 applicant examined for an original license, \$1.00 for each
13 applicant examined for an original chauffeur's license, and \$1.00
14 for every other applicant examined, if the application is not
15 denied and the money refunded is paid to the county or local
16 treasurer and is appropriated to the county, municipality, or
17 officer or bureau receiving the money for the purpose of carrying
18 out this act. The state treasurer shall deposit the sum of \$4.00
19 in the traffic law enforcement and safety fund created in section
20 819a for each person examined for an original license, a renewal
21 operator's license, an original chauffeur's license, or a renewal
22 chauffeur's license, except that the sum deposited for each 2-
23 year operator's or 2-year chauffeur's license shall be \$2.00.

24 (3) Notwithstanding sections 306 and 308, an operator's
25 license shall not be issued to a person under 18 years of age
26 unless that person successfully passes a driver education course
27 and examination given by a school licensed under the ~~driver~~

1 ~~education and training schools act, 1974 PA 369, MCL 256.601 to~~
2 ~~256.612~~ **DRIVER EDUCATION PROVIDER AND INSTRUCTOR ACT, 2006 PA**
3 **384, MCL 256.621 TO 256.705.** A person who has been a holder of a
4 motor vehicle operator's license issued by any other state,
5 territory, or possession of the United States, or any other
6 sovereignty for 1 year immediately before application for an
7 operator's license under this act is not required to comply with
8 this subsection. Restricted licenses may be issued pursuant to
9 section 312 without compliance with this subsection.

10 (4) A person who is on active military service at the time
11 his or her operator's license expires shall be charged the
12 renewal rate for renewing his or her operator's license under
13 this section if all of the following apply:

14 (a) He or she applies for renewal within 30 days of
15 returning to this state from active duty.

16 (b) He or she held a valid, unexpired operator's license
17 from this state immediately prior to leaving this state for
18 active military service.

19 (c) He or she presents such documentation as the secretary
20 of state requires to establish eligibility under this subsection.

21 **(5) IN ADDITION TO THE LICENSE FEES PROVIDED FOR IN THIS**
22 **SECTION, AN ORIGINAL OR RENEWAL OPERATOR'S OR CHAUFFEUR'S LICENSE**
23 **IS SUBJECT TO THE COUNTY MOTOR VEHICLE LICENSE TAX ACT.**

24 Enacting section 1. This amendatory act does not take effect
25 unless Senate Bill No. ____ or House Bill No. 6396 (request no.
26 03159'09) of the 95th Legislature is enacted into law.