



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 494 (Substitute S-1 as reported)
Senate Bill 495 (Substitute S-1 as reported)
Senate Bill 496 (as reported without amendment)
Sponsor: Senator Phil Pavlov (S.B. 494)
 Senator John Pappageorge (S.B. 495)
 Senator Tom Casperson (S.B. 496)
Committee: Transportation

CONTENT

Senate Bill 494 (S-1) would amend Public Act 222 of 1972, which provides for a State personal identification card, to do the following:

- Require a person who is not a U.S. citizen to provide documents demonstrating that he or she is authorized under Federal law to be present in the United States, rather than documents demonstrating his or her "legal presence", on a State ID card application.
- Provide for an ID card applicant's verification and certification of the card, as determined by the Secretary of State (SOS), as an alternative to the applicant's signature.
- Allow the Department of State to cancel the State ID card of a person who provided false information on a State ID application, or who made or used a false State ID card or used another person's; and require a person whose ID card was canceled to return the card upon the Department's request or order.
- Delay from October 1, 2011, until October 1, 2015, the sunset on a requirement that fees collected by the SOS for use of a commercial look-up service of records maintained under the Act be credited to the Transportation Administration Collection Fund (TACF).

Senate Bill 495 (S-1) would amend the Michigan Vehicle Code to revise various provisions regarding driver licenses, commercial driver licenses (CDLs) and commercial motor vehicles (CMVs), and vehicle registration. Specifically, the bill would do the following:

- Delay from October 1, 2011, until October 1, 2015, the sunset on requirements that various fees be deposited in the TACF.
- Require a Michigan resident holding a CDL group indorsement issued by another state to apply for a license transfer within 30 days after establishing domicile in Michigan.
- Refer to Federal regulations in provisions regarding CMV driver qualifications.
- Increase from \$25 to \$35 the fee for a vehicle group designation, and require the additional \$10 to be used to defray the cost of compliance with Federal regulations.
- Authorize the SOS to cancel a person's vehicle group designations or indorsements under certain circumstances.
- Increase the duration of a vehicle group designation suspension for specific violations.
- Increase the civil fine for a driver who violated an out-of-service order, and establish a higher fine for a second or subsequent violation.
- Revise civil fines for an employer who knowingly allowed or required an employee to operate a CMV in violation of State law or Federal regulations.
- Disqualify a person from eligibility for apportionment of International Registration Plan fees for two years after the person was late on payment twice, rather than once.
- Revise provisions regarding the documentation a person who is not a U.S. citizen must provide in a driver license application.
- Provide that no points could be entered on a person's driving record for a violation involving texting while operating a non-CMV or a child restraint system violation.

-- Require a court to notify the SOS of a person's conviction for selling or furnishing alcohol to a minor.

Senate Bill 496 would amend the Motor Carrier Safety Act to incorporate and revise references to Federal regulations; and repeal sections regarding exemptions from the Act's medical qualification provisions.

The Act prohibits a person from operating a CMV unless he or she is qualified to do so. In the case of intrastate transportation, a person is qualified to operate a CMV if he or she meets certain requirements, including medical qualifications; or is eligible for and displays a valid medical waiver card, is excepted from the Act's medical waiver card provisions, or displays a grandfather rights card issued under the Act. Under the bill, a grandfather rights card could be displayed until December 31, 2014.

The bill would repeal Sections 4 and 4a of the Act. Under Section 4, the Act's provisions regarding an intrastate driver's medical qualifications do not apply to a driver who has been a regularly employed driver of the motor carrier for a continuous period that began on or before June 10, 1984; and who has received a grandfather rights card from the Motor Carrier Division of the Department of State Police. Grandfather rights remain valid until December 31, 2014. Under Section 4a, the Department of State Police was not authorized to issue new grandfather cards after October 20, 2005.

Also, under the bill, the provisions of a Federal regulation that requires a medical exam would not apply to a farm vehicle driver, or to a CMV owned and operated by a unit of government or its employees.

Senate Bill 496 is tie-barred to Senate Bill 495.

MCL 28.291 & 28.292 (S.B. 494)
257.57 (S.B. 495)
480.11a et al. (S.B. 496)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

Senate Bill 494 (S-1) could result in administrative savings through the use of alternative services to renew or request duplicate personal ID cards.

Senate Bill 495 (S-1) would have an impact on the budget for the Department of State by delaying sunsets on the requirement that various fees be deposited in the TACF. The FY 2011-12 appropriation for the Department of State includes \$114.1 million appropriated from the TACF.

The fee increase for a vehicle group designation, from \$25 to \$35, would be used to defray the cost of compliance with 49 CFR Part 383 (which prescribes CDL regulations).

To the extent that the revised civil infraction fines under the bill resulted in the collection of additional revenue, public libraries would benefit.

Senate Bill 496 would result in administrative costs to the Department of State. The increased fee revenue in Senate Bill 495 would offset those costs.

Date Completed: 6-22-11

Fiscal Analyst: Joe Carrasco
Matthew Grabowski
David Zin

S1112\494sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.