

HOUSE BILL No. 5540

April 12, 2016, Introduced by Rep. Lucido and referred to the Committee on Elections.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 307, 307a, 310, and 315 (MCL 257.307,
257.307a, 257.310, and 257.315), section 307 as amended by 2015 PA
11, section 307a as amended by 2011 PA 159, section 310 as amended
by 2016 PA 4, and section 315 as amended by 2008 PA 7.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 307. (1) If an applicant for an operator's license or
2 chauffeur's license to operate a noncommercial motor vehicle is a
3 citizen of the United States, the applicant shall supply a
4 photographic identity document, a birth certificate, or other
5 sufficient documents as the secretary of state may require, to
6 verify the identity and citizenship of the applicant. If an
7 applicant for an operator's or chauffeur's license is not a citizen
8 of the United States, the applicant shall supply a photographic

1 identity document and other sufficient documents to verify the
2 identity of the applicant and the applicant's legal presence in the
3 United States under subdivision (b). The documents required under
4 this subsection shall include the applicant's full legal name, date
5 of birth, and address and residency and demonstrate that the
6 applicant is a citizen of the United States or is legally present
7 in the United States. If the applicant's full legal name differs
8 from the name of the applicant that appears on a document presented
9 under this subsection, the applicant shall present documents to
10 verify his or her current full legal name. The secretary of state
11 shall accept as 1 of the required identification documents an
12 identification card issued by the department of corrections to
13 prisoners who are placed on parole or released from a correctional
14 facility, containing the prisoner's legal name, photograph, and
15 other information identifying the prisoner as provided in section
16 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237. An
17 application for an operator's or chauffeur's license shall be made
18 in a manner prescribed by the secretary of state and shall contain
19 all of the following:

20 (a) The applicant's full legal name, date of birth, residence
21 address, height, sex, eye color, signature, intent to make an
22 anatomical gift, other information required or permitted on the
23 license under this chapter, and, only to the extent required to
24 comply with federal law, the applicant's social security number.
25 The applicant may provide a mailing address if the applicant
26 receives mail at an address different from his or her residence
27 address.

(b) If the applicant is not a citizen of the United States, the applicant shall provide, and the department shall verify, documents demonstrating his or her legal presence in the United States. Nothing in this act shall obligate or be construed to obligate this state to comply with title II of the real ID act of 2005, Public Law 109-13. The secretary of state may adopt rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, as are necessary for the administration of this subdivision. A determination by the secretary of state that an applicant is not legally present in the United States may be appealed under section 631 of the revised judicature act of 1961, 1961 PA 236, MCL 600.631.

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

~~"NOTICE: Michigan law requires that the same address be used for voter registration and driver license purposes. Therefore, if the residence address you provide in this application differs from your voter registration address as it appears on the qualified voter file, the secretary of state will automatically change your voter registration to match the residence address on this application, after which your voter registration at your former~~

~~address will no longer be valid for voting purposes.
A new voter registration card, containing the
information of your polling place, will be provided
to you by the clerk of the jurisdiction where your
residence address is located."~~

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

(D) ~~(e)~~ For an operator's or chauffeur's license with a vehicle group designation or indorsement, the following certifications by the applicant:

(i) The applicant meets the applicable federal driver qualification requirements under 49 CFR parts 383 and 391 or meets the applicable qualifications of the department of state police under the motor carrier safety act of 1963, 1963 PA 181, MCL 480.11 to 480.25.

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

(iii) The applicant is not subject to disqualification by the United States Secretary of Transportation, or a suspension, revocation, or cancellation under any state law for conviction of an offense described in section 312f or 319b.

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

(E) ~~(f)~~ An applicant for an operator's or chauffeur's license

1 with a vehicle group designation and a hazardous material
2 indorsement shall provide his or her fingerprints as prescribed by
3 state and federal law.

4 (2) An applicant for an operator's or chauffeur's license may
5 have his or her image and signature captured or reproduced when the
6 application for the license is made. The secretary of state shall
7 acquire equipment purchased or leased under this section under
8 standard purchasing procedures of the department of technology,
9 management, and budget based on standards and specifications
10 established by the secretary of state. The secretary of state shall
11 not purchase or lease equipment until an appropriation for the
12 equipment has been made by the legislature. A digital photographic
13 image and signature captured under this section shall appear on the
14 applicant's operator's license or chauffeur's license. A person's
15 digital photographic image and signature shall be used as follows:

16 (a) By a federal, state, or local governmental agency for a
17 law enforcement purpose authorized by law.

18 (b) By the secretary of state for a use specifically
19 authorized by law.

20 (c) By the secretary of state for forwarding to the department
21 of state police the images of persons required to be registered
22 under the sex offenders registration act, 1994 PA 295, MCL 28.721
23 to 28.736, upon the department of state police providing the
24 secretary of state an updated list of the names of those persons.

25 (d) As necessary to comply with a law of this state or of the
26 United States.

27 (3) An application shall contain a signature or verification

1 and certification by the applicant, as determined by the secretary
2 of state, and shall be accompanied by the proper fee. The secretary
3 of state shall collect the application fee with the application.

4 The secretary of state shall refund the application fee to the
5 applicant if the license applied for is denied, but shall not
6 refund the fee to an applicant who fails to complete the
7 examination requirements of the secretary of state within 90 days
8 after the date of application for a license.

9 (4) In conjunction with the application for an operator's
10 license or chauffeur's license, the secretary of state shall do all
11 of the following:

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

13 (i) Information explaining the applicant's right to make an
14 anatomical gift in the event of death in accordance with section
15 310.

16 (ii) Information describing the anatomical gift donor registry
17 program under part 101 of the public health code, 1978 PA 368, MCL
18 333.10101 to 333.10123. The information required under this
19 subparagraph includes the address and telephone number of
20 Michigan's federally designated organ procurement organization or
21 its successor organization as defined in section 10102 of the
22 public health code, 1978 PA 368, MCL 333.10102.

23 (iii) Information giving the applicant the opportunity to be
24 placed on the donor registry described in subparagraph (ii).

25 (b) Provide the applicant with the opportunity to specify on
26 his or her operator's or chauffeur's license that he or she is
27 willing to make an anatomical gift in the event of death in

1 accordance with section 310.

2 (c) Inform the applicant that, if he or she indicates to the
3 secretary of state under this section a willingness to have his or
4 her name placed on the donor registry described in subdivision
5 (a)(ii), the secretary of state will mark the applicant's record
6 for the donor registry.

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

9 (a) Providing printed material enclosed with a mailed notice
10 for an operator's or chauffeur's license renewal or the issuance of
11 an operator's or chauffeur's license.

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

14 (c) Through electronic information transmittals for operator's
15 and chauffeur's licenses processed by electronic means.

16 (6) The secretary of state shall maintain a record of an
17 individual who indicates a willingness to have his or her name
18 placed on the donor registry described in subsection (4)(a)(ii).
19 Information about an applicant's indication of a willingness to
20 have his or her name placed on the donor registry that is obtained
21 by the secretary of state under subsection (4) and forwarded under
22 subsection (14) is exempt from disclosure under section 13(1)(d) of
23 the freedom of information act, 1976 PA 442, MCL 15.243.

24 (7) If an application is received from a person previously
25 licensed in another jurisdiction, the secretary of state shall
26 request a copy of the applicant's driving record and other
27 available information from the national driver register. When

received, the driving record and other available information become a part of the driver's record in this state.

(8) If a person applies for a commercial learner's permit for an original vehicle group designation or indorsement to operate a commercial motor vehicle, the secretary of state may verify the person's identity, may require proof of Michigan domicile under 49 CFR 383.5, and may verify the person's proof of United States citizenship or proof of lawful permanent residency as required under 49 CFR 383.71 and 383.73, if that information is not on the person's Michigan driving record. If a person applies for a renewal of an operator's or chauffeur's license to operate a commercial motor vehicle, the secretary of state may verify the person's identity, may require proof of Michigan domicile under 49 CFR 383.5, and may verify the person's proof of citizenship or lawful permanent residency under 49 CFR 383.71 and 383.73, if that information is not on the person's Michigan driving record. If a person applies for an upgrade of a vehicle group designation or indorsement, the secretary of state may verify the person's identity, may require proof of Michigan domicile under 49 CFR 383.5, and may verify the person's proof of citizenship or lawful permanent residency under 49 CFR 383.71 and 383.73, if that information is not on the person's Michigan driving record. The secretary of state shall request the person's complete driving record from all states where the applicant was previously licensed to drive any type of motor vehicle over the last 10 years before issuing a vehicle group designation or indorsement to the applicant. If the applicant does not hold a valid commercial motor

1 vehicle driver license from a state where he or she was licensed in
2 the last 10 years, this complete driving record request must be
3 made not earlier than 24 hours before the secretary of state issues
4 the applicant a vehicle group designation or indorsement. For all
5 other drivers, this request must be made not earlier than 10 days
6 before the secretary of state issues the applicant a vehicle group
7 designation or indorsement. If the application is for the renewal
8 of a vehicle group designation or indorsement, and if the secretary
9 of state enters on the person's driving record maintained under
10 section 204a a notation that the request was made and the date of
11 the request, the secretary of state is required to request the
12 applicant's complete driving record from other states only once
13 under this section. The secretary of state shall also check the
14 applicant's driving record with the national driver register and
15 the federal commercial driver license information system before
16 issuing that group designation or indorsement.

17 (9) Except for a vehicle group designation or indorsement or
18 as provided in this subsection or section 314(5), the secretary of
19 state may issue a renewal operator's or chauffeur's license for 1
20 additional 4-year period or until the person is no longer
21 determined to be legally present under this section by mail or by
22 other methods prescribed by the secretary of state. The secretary
23 of state may check the applicant's driving record through the
24 national driver register and the commercial driver license
25 information system before issuing a license under this section. The
26 secretary of state shall issue a renewal license only in person if
27 the person is a person required under section 5a of the sex

1 offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a
2 valid operator's or chauffeur's license or official state personal
3 identification card. If a license is renewed by mail or by other
4 method, the secretary of state shall issue evidence of renewal to
5 indicate the date the license expires in the future. The department
6 of state police shall provide to the secretary of state updated
7 lists of persons required under section 5a of the sex offenders
8 registration act, 1994 PA 295, MCL 28.725a, to maintain a valid
9 operator's or chauffeur's license or official state personal
10 identification card.

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

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

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

20 (b) To carry out the purposes of section 466(a) of the social
21 security act, 42 USC 666, in connection with matters relating to
22 paternity, child support, or overdue child support.

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

26 (d) With the department of community health, for comparison
27 with vital records maintained by the department of community health

1 under part 28 of the public health code, 1978 PA 368, MCL 333.2801
2 to 333.2899.

3 (e) As otherwise required by law.

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

7 (13) A requirement under this section to include a social
8 security number on an application does not apply to an applicant
9 who demonstrates he or she is exempt under law from obtaining a
10 social security number.

11 (14) As required in section 10120 of the public health code,
12 1978 PA 368, MCL 333.10120, the secretary of state shall maintain
13 the donor registry in a manner that provides electronic access,
14 including, but not limited to, the transfer of data to this state's
15 federally designated organ procurement organization or its
16 successor organization, tissue banks, and eye banks, in a manner
17 that complies with that section.

18 (15) The secretary of state, with the approval of the state
19 administrative board created under 1921 PA 2, MCL 17.1 to 17.3, may
20 enter into agreements with the United States government to verify
21 whether an applicant for an operator's license or a chauffeur's
22 license under this section who is not a citizen of the United
23 States is authorized under federal law to be present in the United
24 States.

25 (16) The secretary of state shall not issue an operator's
26 license or a chauffeur's license to a person holding an operator's
27 license or chauffeur's license issued by another state without

1 confirmation that the person is terminating or has terminated the
2 operator's license or chauffeur's license issued by the other
3 state.

4 (17) The secretary of state shall do all of the following:

5 (a) Ensure the physical security of locations where operator's
6 licenses and chauffeur's licenses are produced and the security of
7 document materials and papers from which operator's licenses and
8 chauffeur's licenses are produced.

9 (b) Subject all persons authorized to manufacture or produce
10 operator's licenses or chauffeur's licenses and all persons who
11 have the ability to affect the identity information that appears on
12 operator's licenses or chauffeur's licenses to appropriate security
13 clearance requirements. The security requirements of this
14 subdivision and subdivision (a) may require that licenses be
15 manufactured or produced in this state.

16 (c) Provide fraudulent document recognition programs to
17 department of state employees engaged in the issuance of operator's
18 licenses and chauffeur's licenses.

19 (18) The secretary of state shall have electronic access to
20 prisoner information maintained by the department of corrections
21 for the purpose of verifying the identity of a prisoner who applies
22 for an operator's or chauffeur's license under subsection (1).

23 Sec. 307a. For an operator or chauffeur license that contains
24 a vehicle group designation, the secretary of state shall issue a
25 license that contains the information required under this act and
26 all of the following information:

27 (a) The name and **RESIDENCE** address ~~of residence~~ **OR, UPON**

1 **REQUEST, MAILING ADDRESS** of the licensee.

2 (b) Date of birth.

3 (c) Height and sex.

4 (d) Information required by the United States ~~department~~

5 **DEPARTMENT** of ~~transportation~~ **TRANSPORTATION** under 49 CFR 383.153.

6 (e) In accordance with federal regulations, the vehicle group
7 designation and any indorsement or restriction of a commercial
8 motor vehicle the licensee is authorized to operate.

9 (f) The name of this state.

10 (g) The expiration date of the license.

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

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

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

26 (b) The full legal name, date of birth, **RESIDENCE** address ~~of~~
27 ~~residence,~~ **OR, UPON REQUEST OF THE APPLICANT, MAILING ADDRESS,**

1 height, eye color, sex, digital photographic image, expiration
2 date, and signature of the licensee.

3 (c) In the case of a licensee who has indicated his or her
4 wish to participate in the anatomical gift donor registry under
5 part 101 of the public health code, 1978 PA 368, MCL 333.10101 to
6 333.10123, a heart insignia on the front of the license.

7 (d) Physical security features designed to prevent tampering,
8 counterfeiting, or duplication of the license for fraudulent
9 purposes.

10 (e) If requested by an individual who is a veteran of the
11 armed forces of this state, another state, or the United States,
12 other than an individual who was dishonorably discharged from the
13 armed forces of this state, another state, or the United States, a
14 designation that the individual is a veteran. The designation shall
15 be in a style and format considered appropriate by the secretary of
16 state. The secretary of state shall require proof of discharge or
17 separation of service from the armed forces of this state, another
18 state, or the United States, and the nature of that discharge, for
19 the purposes of verifying an individual's status as a veteran under
20 this subdivision. The secretary of state shall consult with the
21 department of military and veterans affairs in determining the
22 proof that shall be required to identify an individual's status as
23 a veteran for the purposes of this subsection. The secretary of
24 state may provide the department of military and veterans affairs
25 and agencies of the counties of this state that provide veteran
26 services with information provided by an applicant under this
27 subsection for the purpose of veterans' benefits eligibility

1 referral.

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

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

8 (5) A digitized license may contain an identifier for voter
9 registration purposes. The digitized license may contain
10 information appearing in electronic or machine readable codes
11 needed to conduct a transaction with the secretary of state. The
12 information shall be limited to the information described in
13 subsection (2)(a) and (b) except for the person's digital
14 photographic image and signature, state of issuance, license
15 expiration date, and other information necessary for use with
16 electronic devices, machine readers, or automatic teller machines
17 and shall not contain the driving record or other personal
18 identifier. The license shall identify the encoded information.
19 (6) The license shall be manufactured in a manner to prohibit
20 as nearly as possible the ability to reproduce, alter, counterfeit,
21 forge, or duplicate the license without ready detection. In
22 addition, a license with a vehicle group designation shall contain
23 the information required under 49 CFR part 383.

24 (7) Except as provided in subsection (11), a person who
25 intentionally reproduces, alters, counterfeits, forges, or
26 duplicates a license photograph, the negative of the photograph,
27 image, license, or electronic data contained on a license or a part

1 of a license or who uses a license, image, or photograph that has
2 been reproduced, altered, counterfeited, forged, or duplicated is
3 subject to 1 of the following:

4 (a) If the intent of the reproduction, alteration,
5 counterfeiting, forging, duplication, or use is to commit or aid in
6 the commission of an offense that is a felony punishable by
7 imprisonment for 10 or more years, the person committing the
8 reproduction, alteration, counterfeiting, forging, duplication, or
9 use is guilty of a felony ~~—~~punishable by imprisonment for not more
10 than 10 years or a fine of not more than \$20,000.00, or both.

11 (b) If the intent of the reproduction, alteration,
12 counterfeiting, forging, duplication, or use is to commit or aid in
13 the commission of an offense that is a felony punishable by
14 imprisonment for less than 10 years or a misdemeanor punishable by
15 imprisonment for 6 months or more, the person committing the
16 reproduction, alteration, counterfeiting, forging, duplication, or
17 use is guilty of a felony ~~—~~punishable by imprisonment for not more
18 than 5 years, or a fine of not more than \$10,000.00, or both.

19 (c) If the intent of the reproduction, alteration,
20 counterfeiting, forging, duplication, or use is to commit or aid in
21 the commission of an offense that is a misdemeanor punishable by
22 imprisonment for less than 6 months, the person committing the
23 reproduction, alteration, counterfeiting, forging, duplication, or
24 use is guilty of a misdemeanor punishable by imprisonment for not
25 more than 1 year or a fine of not more than \$2,000.00, or both.

26 (8) Except as provided in subsections (11) and (16), a person
27 who sells, or who possesses with the intent to deliver to another,

1 a reproduced, altered, counterfeited, forged, or duplicated license
2 photograph, negative of the photograph, image, license, or
3 electronic data contained on a license or part of a license is
4 guilty of a felony punishable by imprisonment for not more than 5
5 years or a fine of not more than \$10,000.00, or both.

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

13 (10) Except as provided in subsection (16), a person who is in
14 possession of 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 misdemeanor punishable by imprisonment for
18 not more than 1 year or a fine of not more than \$2,000.00, or both.

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

22 (12) The secretary of state, upon determining after an
23 examination that an applicant is mentally and physically qualified
24 to receive a license, may issue the applicant a temporary driver's
25 permit. The temporary driver's permit entitles the applicant, while
26 having the permit in his or her immediate possession, to operate a
27 motor vehicle upon the highway for a period not exceeding 60 days

1 before the secretary of state has issued the applicant an
2 operator's or chauffeur's license. The secretary of state may
3 establish a longer duration for the validity of a temporary
4 driver's permit if necessary to accommodate the process of
5 obtaining a background check that is required for an applicant by
6 federal law.

7 (13) An operator or chauffeur may indicate on the license in a
8 place designated by the secretary of state his or her blood type,
9 emergency contact information, immunization data, medication data,
10 or a statement that the licensee is deaf. The secretary of state
11 shall not require an applicant for an original or renewal
12 operator's or chauffeur's license to provide emergency contact
13 information as a condition of obtaining a license. However, the
14 secretary of state may inquire whether an operator or chauffeur
15 would like to provide emergency contact information. Emergency
16 contact information obtained under this subsection shall be
17 disclosed only to a state or federal law enforcement agency for law
18 enforcement purposes or to the extent necessary for a medical
19 emergency. No later than January 1, 2017, the secretary of state
20 shall develop and shall, in conjunction with the department of
21 state police, implement a process using the L.E.I.N. or any other
22 appropriate system that limits access to law enforcement that would
23 allow law enforcement agencies of this state to access emergency
24 contact information that the holder of an operator's license has
25 voluntarily provided to the secretary of state. As used in this
26 subsection, "emergency contact information" means the name,
27 telephone number, or address of an individual that is used for the

1 sole purpose of contacting that individual when the holder of an
2 operator's license has been involved in an emergency.

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

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

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

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

25 (18) The secretary of state shall inquire of each licensee, in
26 person or by mail, whether the licensee agrees to participate in
27 the anatomical gift donor registry under part 101 of the public

1 health code, 1978 PA 368, MCL 333.10101 to 333.10123.

2 (19) A licensee who has agreed to participate in the
3 anatomical gift donor registry under part 101 of the public health
4 code, 1978 PA 368, MCL 333.10101 to 333.10123, shall not be
5 considered to have revoked that agreement solely because the
6 licensee's license has been revoked or suspended or has expired.
7 Enrollment in the donor registry constitutes a legal agreement that
8 remains binding and in effect after the donor's death regardless of
9 the expressed desires of the deceased donor's next of kin who may
10 oppose the donor's anatomical gift.

11 Sec. 315. (1) An operator or chauffeur who changes his or her
12 residence before the expiration of a license granted under this
13 chapter shall immediately notify the secretary of state of his or
14 her new residence address. A change of address notification shall
15 be in a manner prescribed by the secretary of state and may include
16 notification by personally appearing at a branch office of the
17 secretary of state or other location designated by the secretary of
18 state, or a notification by mail, telephone, electronically, by
19 submitting a voter registration application unless the person
20 registers to vote in a city, village, or township that prohibits
21 the operation of motor vehicles by law or ordinance, or by any
22 other means prescribed by the secretary of state. ~~The secretary of~~
23 ~~state shall provide the person changing his or her residence~~
24 ~~address the notice required by section 307(1)(c) that, under~~
25 ~~sections 509o and 509r of the Michigan election law, 1954 PA 116,~~
26 ~~MCL 168.509o and 168.509r, the secretary of state is required to~~
27 ~~use the residence address provided on this change of address~~

~~1 application as the person's residence address on the qualified~~
~~2 voter file for voter registration and voting. However, a~~ **A** person
3 may submit to the secretary of state a mailing address that is
4 different than his or her residence address.

5 (2) Upon receiving a change of address notification, the
6 secretary of state shall change the person's driver license record
7 to indicate the new residence address **OR MAILING ADDRESS**. The
8 secretary of state shall provide the person with a new license or a
9 label or some other mechanism containing the new residence address
10 **OR, IF REQUESTED BY THE APPLICANT, THE NEW MAILING ADDRESS**. Upon
11 receipt of the label or other mechanism, the person shall affix the
12 label or mechanism to his or her operator's or chauffeur's license
13 as prescribed by the secretary of state. If the secretary of state
14 furnished the person with a new license, the person shall destroy
15 his or her old license and replace it with the new license.

16 (3) If a person fails to report a change of his or her
17 residence address as required under this section and subsequently
18 there is no response to a notice mailed to the residence address
19 shown by the record of the secretary of state or if the person has
20 provided the secretary of state a mailing address different from
21 his or her residence address and there is no response to a notice
22 mailed to that mailing address, the secretary of state may
23 immediately suspend or revoke his or her license. A person who
24 fails to report a change of his or her residence address is
25 responsible for a civil infraction.

26 (4) A person shall not knowingly report a change of address to
27 the secretary of state for himself or herself that is not his or

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

11 (5) Upon a second or subsequent conviction under subsection
12 (4), a person is guilty of a misdemeanor punishable by imprisonment
13 for not more than 93 days or a fine of \$5,000.00, or both. Upon
14 receiving the abstract of a second or subsequent conviction under
15 subsection (4), the secretary of state shall revoke the person's
16 operator's or chauffeur's license.

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

20 Enacting section 1. This amendatory act takes effect 90 days
21 after the date it is enacted into law.