



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5542 (as reported without amendment)
House Bill 6011 (as reported without amendment)
House Bill 6012 (Substitute S-1 as reported)
Sponsor: Representative Jim Runestad (H.B. 5542)
Representative Jeffrey R. Noble (H.B. 6011)
Representative Steven Johnson (H.B. 6012)
House Committee: Transportation and Infrastructure
Senate Committee: Transportation

CONTENT

House Bill 5542 would amend the Motor Carrier Safety Act to delete various provisions regarding a nonresident being stopped for a State civil infraction under the Act and the applicable procedures concerning that violation.

House Bill 6011 would enact the "Driver's License Compact" to allow the Governor of Michigan to enter into the compact on behalf of the State with any of the states of the United States who legally joined in that compact.

The compact does the following:

- Require the licensing authority of a party state to report each conviction of a person from another party state occurring within its jurisdiction to the licensing authority of the home state of the licensee.
- Require the licensing authority in the home state, for the purposes of suspension, revocation, or limitation of the license to operate a motor vehicle, to give the same effect to the conduct reported as it would if such conduct had occurred in the home state in the case of certain convictions.
- Require the licensing authority in a party state to determine whether a driver's license applicant has ever held or is the holder of a license to drive issued by any other party state.
- Prohibit a licensing authority in a state where application for a driver's license is made from issuing a license to the applicant if certain conditions apply.
- Require the head of the licensing authority of each party state to be the administrator of the Compact for his or her state.
- Allow any party state to withdraw from the Compact by enacting a statute repealing the Compact, so long as the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states.

House Bill 6012 (S-1) would amend the Michigan Vehicle Code to do the following:

- Require the Secretary of State (SOS) to notify the Motor Vehicle Administration or other appropriate office after receiving a record of a nonresident's failure to answer a citation or notice to appear in court for a violation reportable to the SOS, if the State had entered into an interstate compact requiring the notification.

- Require the SOS to suspend a license issued under the Code after receiving notice of the license holder's failure to comply with a citation issued by another state if Michigan had entered into an interstate compact requiring the suspension.
- Revise or delete provisions pertaining to when a nonresident is stopped under Code for a civil infraction and the applicable procedures concerning that violation.

MCL 480.11a & 480.24 (H.B. 5542)
257.317 et al. (H.B. 6012)

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

House Bill 5542 would have an indeterminate, but likely not significant, fiscal impact on State and local law enforcement agencies. Removing a requirement that a nonresident charged with a civil infraction provide a security deposit could result in a reduction of fine revenue. The extent of this reduction is not known, as it is difficult to determine how many nonstate residents are charged with civil infractions and forfeit the deposit by choosing to not appear in court.

Revenue from civil infractions is deposited into the State Justice System Fund, per the Revised Judicature Act, and distributed annually (\$51.0 million in fiscal year 2016-17) to support a number of law enforcement related functions, including police patrols, law enforcement training, jail reimbursement programs, courts, crime labs, crime victims, child advocacy and other functions.

The bill also would result in minor administrative savings for State and local law enforcement, by removing the requirement that they transmit collected security deposits to the court in the applicable jurisdiction.

House Bill 6011 could produce a minimal start-up cost for the Department of State due to programming costs to enable the required information sharing between members of the compact. The Department has indicated that these costs should be minimal and absorbable within annual appropriations.

House Bill 6012 (S-1) could result in some additional revenue to the Department of State from the \$125 reinstatement fees that would be paid by anyone who had their license suspended because of information received from another member state. Currently, a person who must have his or her driver license reinstated because of a suspension must pay a \$125 reinstatement fee to the Department of State. The amount of revenue is indeterminate and would depend on the actual number of individuals who pay the required reinstatement fee.

Date Completed: 12-17-18

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