

# Legislative Analysis



## COMMUNICATION IMPEDIMENT DESIGNATIONS

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4566 (H-1) as referred to second committee**  
**House Bill 5951 (H-2) as referred to second committee**  
**Sponsor: Rep. Frank Liberati**

Analysis available at  
<http://www.legislature.mi.gov>

**House Bill 5950 (H-1) as referred to second committee**  
**Sponsor: Rep. Jim Lilly**

**1st Committee: Transportation**  
**2nd Committee: Ways and Means**  
**Complete to 12-4-20**

### SUMMARY:

Taken together, House Bills 4566, 5950, and 5951 would do the following:

- Include audiologists and speech-language pathologists as medical professionals from whom an applicant for a driver's license or state personal identification card can obtain the certification required to get a communication impediment designation for his or her license or card.
- Revise the phrasing of certain provisions limiting who can view such a designation.

Under 2020 PAs 92, 93, and 94, an individual who applies for or renews a vehicle registration, driver's license, state personal ID card, enhanced driver's license, or enhanced state personal ID card may elect to have a communication impediment designation associated with his or her records. A communication impediment means a health condition, such as an autism spectrum disorder or deafness or hearing loss, that could impede communication with a police officer. An individual seeking a designation must provide a certification of the communication impediment that is signed by a licensed physician, physician assistant, certified nurse practitioner, or physical therapist. The communication impediment designation can only be viewed by law enforcement. (Note that these provisions do not take effect until July 1, 2021.)

**House Bills 5950 and 5951** would respectively amend the Michigan Vehicle Code and 1972 PA 222 (the state personal identification card act) to add audiologists and speech-language pathologists to the list of medical professionals who can provide the certification an applicant needs to get a communication impediment designation for his or her vehicle registration, driver's license, or state personal ID card, as applicable.

In addition, under 1972 PA 222, the designation is now required to be recorded on the secretary of state's central file or "another appropriate system that limits access to law enforcement." House Bill 5951 would revise the latter description to "another appropriate system that limits access to a person allowed access to public record information by the Criminal Justice Information Policy Council under the C.J.I.S. Policy Council Act."

MCL 257.221 and 257.310 (HB 5950)  
MCL 28.291 (HB 5951)

**House Bill 4566** would amend the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to refer to a “process to allow a person with access to the law enforcement information network under the C.J.I.S. Policy Council Act,” rather than “law enforcement agencies of this state.”

(Note that individuals seeking to obtain a communication impediment designation for a license or card issued under this act must comply with procedures in the Michigan Vehicle Code or 1972 PA 222, as applicable, so House Bills 5950 and 5951 would effectively allow audiologists and speech-language pathologists to certify a communication impediment for purposes of the enhanced licenses and cards issued under this act as well.)

MCL 28.305

House Bills 5950 and 5951 would take effect July 1, 2021, which is the effective date of the 2020 amendatory acts creating the communication impediment designation.

**FISCAL IMPACT:**

The bills would result in no fiscal impact for the state or local units of government.

The bills would require the Department of State to modify its existing computer systems, which would normally incur vendor information technology (IT) programming costs. However, substantively similar changes were recently required under 2020 PA 93. The costs from changes required under the bills would be able to be absorbed within the costs to the Department of State to comply with 2020 PA 93. The House Fiscal Agency analysis for 2020 PA 93 estimated costs of 2020 PA 93 to be approximately \$200,000. However, final costs had not been determined and would depend on how much those programming costs could be absorbed into the ongoing project to modernize the department’s computerized driver records system, known as the Customer and Automotive Records System (CARS).

**POSITIONS:**

A representative of the Michigan Audiology Coalition testified in support of the bill. (12-3-20)

The Michigan Speech Language Hearing Association indicated support for the bill. (12-3-20)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.