

**SUBSTITUTE FOR  
HOUSE BILL NO. 5950**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 221 and 310 (MCL 257.221 and 257.310), as  
amended by 2020 PA 93.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 221. (1) The secretary of state shall create and maintain  
2 a computerized central file of all applications for registration of  
3 motor vehicles and is not required to retain any other record of  
4 the application. The computerized central file must be interfaced  
5 with the law enforcement information network as provided in the  
6 C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215.

7           (2) The secretary of state shall preserve the records  
8 described in subsection (1) for 3 years after the date of



1 registration. The records must be available to state and federal  
2 agencies and the friend of the court as provided under section 4 of  
3 the C.J.I.S. policy council act, 1974 PA 163, MCL 28.214, and rules  
4 promulgated under that section. The records, except for a  
5 communication impediment designation, must be available to the  
6 public through the secretary of state's commercial look-up service.

7 (3) If an owner of a motor vehicle meets the requirements  
8 under subsection (4), the secretary of state shall allow the owner  
9 of a motor vehicle who is applying for a vehicle registration or  
10 for renewal of a vehicle registration to elect a communication  
11 impediment designation on the application maintained in the central  
12 file under subsection (1) to allow a person with access to the law  
13 enforcement information network under the C.J.I.S. policy council  
14 act, 1974 PA 163, MCL 28.211 to 28.215, to view a communication  
15 impediment designation with a motor vehicle registration.

16 (4) An owner of a motor vehicle seeking an election for a  
17 communication impediment designation under subsection (3) shall  
18 provide to the secretary of state a certification that meets all of  
19 the following:

20 (a) Is signed by a physician, physician assistant, certified  
21 nurse practitioner, **audiologist, speech-language pathologist,** or  
22 physical therapist licensed to practice in this state.

23 (b) Identifies the individual for whom the communication  
24 impediment designation is being elected.

25 (c) Attests to the nature of the communication impediment.

26 (5) A person who intentionally makes a false statement of  
27 material fact or commits or attempts to commit a deception or fraud  
28 on a statement described under subsection (4) is guilty of a  
29 misdemeanor punishable by imprisonment for not more than 30 days or



1 a fine of not more than \$500.00, or both.

2 (6) Subject to subsection (7), the secretary of state may  
3 cancel or revoke a communication impediment designation elected and  
4 maintained under this section if either of the following  
5 circumstances applies:

6 (a) The secretary of state determines that a communication  
7 impediment designation was fraudulently or erroneously elected.

8 (b) The secretary of state determines the communication  
9 impediment designation was abused during a traffic stop.

10 (7) The secretary of state shall provide the owner of a motor  
11 vehicle notice and an opportunity to be heard before canceling or  
12 revoking a communication impediment designation under subsection  
13 (6).

14 (8) As used in this section, "communication impediment" means  
15 the owner of a motor vehicle, or an individual who resides in the  
16 same household as the owner of the motor vehicle, has a health  
17 condition that may impede communication with a police officer  
18 during a traffic stop, including, but not limited to, any of the  
19 following:

20 (a) Deafness or hearing loss.

21 (b) An autism spectrum disorder.

22 Sec. 310. (1) The secretary of state shall issue an operator's  
23 license to each person licensed as an operator and a chauffeur's  
24 license to each person licensed as a chauffeur. An applicant for a  
25 motorcycle indorsement under section 312a or a vehicle group  
26 designation or indorsement shall first qualify for an operator's or  
27 chauffeur's license before the indorsement or vehicle group  
28 designation application is accepted and processed. An original  
29 license or the first renewal of an existing license issued to a



1 person less than 21 years of age must be portrait or vertical in  
2 form and a license issued to a person 21 years of age or over must  
3 be landscape or horizontal in form.

4 (2) The license issued under subsection (1) must contain all  
5 of the following:

6 (a) The distinguishing number permanently assigned to the  
7 licensee.

8 (b) The full legal name, date of birth, address of residence,  
9 height, eye color, sex, digital photographic image, expiration  
10 date, and signature of the licensee.

11 (c) In the case of a licensee who has indicated his or her  
12 wish to participate in the anatomical gift donor registry under  
13 part 101 of the public health code, 1978 PA 368, MCL 333.10101 to  
14 333.10123, a heart insignia on the front of the license.

15 (d) Physical security features designed to prevent tampering,  
16 counterfeiting, or duplication of the license for fraudulent  
17 purposes.

18 (e) If requested by an individual who is a veteran of the  
19 armed forces of this state, another state, or the United States, a  
20 designation that the individual is a veteran. The designation must  
21 be in a style and format considered appropriate by the secretary of  
22 state. The secretary of state shall require proof of discharge or  
23 separation of service from the armed forces of this state, another  
24 state, or the United States, and the nature of that discharge, for  
25 the purposes of verifying an individual's status as a veteran under  
26 this subdivision. The secretary of state shall consult with the  
27 department of military and veterans affairs in determining the  
28 proof that must be required to identify an individual's status as a  
29 veteran for the purposes of this subsection. The secretary of state



1 may provide the department of military and veterans affairs and  
2 agencies of the counties of this state that provide veteran  
3 services with information provided by an applicant under this  
4 subsection for the purpose of veterans' benefits eligibility  
5 referral.

6 (3) Except as otherwise required under this chapter, other  
7 information required on the license under this chapter may appear  
8 on the license in a form prescribed by the secretary of state.

9 (4) The license must not contain a fingerprint or finger image  
10 of the licensee.

11 (5) A digitized license may contain an identifier for voter  
12 registration purposes. The digitized license may contain  
13 information appearing in electronic or machine readable codes  
14 needed to conduct a transaction with the secretary of state. The  
15 information must be limited to the information described in  
16 subsection (2) (a) and (b) except for the person's digital  
17 photographic image and signature, state of issuance, license  
18 expiration date, and other information necessary for use with  
19 electronic devices, machine readers, or automatic teller machines  
20 and must not contain the driving record or other personal  
21 identifier. The license must identify the encoded information.

22 (6) The license must be manufactured in a manner to prohibit  
23 as nearly as possible the ability to reproduce, alter, counterfeit,  
24 forge, or duplicate the license without ready detection. In  
25 addition, a license with a vehicle group designation must contain  
26 the information required under 49 CFR part 383.

27 (7) Except as provided in subsection (11), a person who  
28 intentionally reproduces, alters, counterfeits, forges, or  
29 duplicates a license photograph, the negative of the photograph,



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

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

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

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

27 (8) Except as provided in subsections (11) and (16), a person  
28 who sells, or who possesses with the intent to deliver to another,  
29 a reproduced, altered, counterfeited, forged, or duplicated license



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

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

12 (10) Except as provided in subsection (16), a person who is in  
13 possession of a reproduced, altered, counterfeited, forged, or  
14 duplicated license photograph, negative of the photograph, image,  
15 license, or electronic data contained on a license or part of a  
16 license is guilty of a misdemeanor punishable by imprisonment for  
17 not more than 1 year or a fine of not more than \$2,000.00, or both.

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

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



1 driver's permit if necessary to accommodate the process of  
2 obtaining a background check that is required for an applicant by  
3 federal law.

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

26 (14) An operator or chauffeur may indicate on the license in a  
27 place designated by the secretary of state that he or she has  
28 designated a patient advocate in accordance with sections 5506 to  
29 5515 of the estates and protected individuals code, 1998 PA 386,





1 MCL 700.5506 to 700.5515.

2 (15) If the applicant provides proof to the secretary of state  
3 that he or she is a minor who has been emancipated under 1968 PA  
4 293, MCL 722.1 to 722.6, the license must bear the designation of  
5 the individual's emancipated status in a manner prescribed by the  
6 secretary of state.

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

11 (17) A sticker or decal may be provided by any person,  
12 hospital, school, medical group, or association interested in  
13 assisting in implementing an emergency medical information card,  
14 but must meet the specifications of the secretary of state. An  
15 emergency medical information card may contain information  
16 concerning the licensee's patient advocate designation, other  
17 emergency medical information, or an indication as to where the  
18 licensee has stored or registered emergency medical information.

19 (18) The secretary of state shall inquire of each licensee, in  
20 person or by mail, whether the licensee agrees to participate in  
21 the anatomical gift donor registry under part 101 of the public  
22 health code, 1978 PA 368, MCL 333.10101 to 333.10123.

23 (19) A licensee who has agreed to participate in the  
24 anatomical gift donor registry under part 101 of the public health  
25 code, 1978 PA 368, MCL 333.10101 to 333.10123, must not be  
26 considered to have revoked that agreement solely because the  
27 licensee's license has been revoked or suspended or has expired.  
28 Enrollment in the donor registry constitutes a legal agreement that  
29 remains binding and in effect after the donor's death regardless of



1 the expressed desires of the deceased donor's next of kin who may  
2 oppose the donor's anatomical gift.

3 (20) If an operator's or chauffeur's license is issued to an  
4 individual described in section 307(1)(b) who has temporary lawful  
5 status, the license must be issued in compliance with 6 CFR 37.21  
6 or in compliance with the process established to comply with 6 CFR  
7 37.71 by the secretary of state.

8 (21) An operator or chauffeur seeking an election for a  
9 communication impediment designation under subsection (13) shall  
10 provide to the secretary of state a certification that meets all of  
11 the following:

12 (a) Is signed by a physician, physician assistant, certified  
13 nurse practitioner, **audiologist, speech-language pathologist,** or  
14 physical therapist licensed to practice in this state.

15 (b) Identifies the individual for whom the communication  
16 impediment designation is being elected.

17 (c) Attests to the nature of the communication impediment.

18 (22) A person who intentionally makes a false statement of  
19 material fact or commits or attempts to commit a deception or fraud  
20 on a statement described under subsection (21) is guilty of a  
21 misdemeanor punishable by imprisonment for not more than 30 days or  
22 a fine of not more than \$500.00, or both.

23 (23) Subject to subsection (24), the secretary of state may  
24 cancel or revoke a communication impediment designation elected and  
25 maintained under this section if either of the following  
26 circumstances applies:

27 (a) The secretary of state determines that a communication  
28 impediment designation was fraudulently or erroneously elected.

29 (b) The secretary of state determines the communication



1 impediment designation was abused during a traffic stop.

2 (24) The secretary of state shall provide the operator or  
3 chauffeur notice and an opportunity to be heard before canceling or  
4 revoking a communication impediment designation under subsection  
5 (23).

6 (25) As used in this section:

7 (a) "Communication impediment" means the operator or chauffeur  
8 has a health condition that may impede communication with a police  
9 officer during a traffic stop, including, but not limited to, any  
10 of the following:

11 (i) Deafness or hearing loss.

12 (ii) An autism spectrum disorder.

13 (b) "Emergency contact information" means the name, telephone  
14 number, or address of an individual that is used for the sole  
15 purpose of contacting that individual when the holder of an  
16 operator's license has been involved in an emergency.

17 (c) "Temporary lawful status" means that term as defined in 6  
18 CFR 37.3.

19 (d) "Veteran" means that term as defined in section 1 of 1965  
20 PA 190, MCL 35.61.

21 Enacting section 1. This amendatory act takes effect July 1,  
22 2021.

