

HOUSE CONCURRENT RESOLUTION NO. 29

Rep. LaFave offered the following concurrent resolution:

1 A concurrent resolution opposing the enactment and enforcement
2 of a state law, under a federal mandate, that requires the
3 suspension or revocation or the delay of issuance or reinstatement,
4 of a driver's license to an individual convicted of a drug offense.

5 Whereas, Under 23 USC 159, the United States Secretary of
6 Transportation is directed to withhold a percentage of a state's
7 highway-related funds unless the state enacts and enforces a law
8 that requires the suspension or revocation or the delay of issuance
9 or reinstatement, of a driver's license to an individual convicted
10 of a violation of the federal Controlled Substances Act or another
11 drug offense; and

12 Whereas, A state may still receive funding if the state
13 legislature and governor formally oppose the enactment or
14 enforcement of a state law mandated under 23 USC 159. The governor

1 must submit to the U.S. Secretary of Transportation a written
2 certification stating her opposition and that the legislature has
3 adopted a resolution expressing its opposition; and

4 Whereas, After considering the mandates under 23 USC 159, the
5 Michigan Legislature determines that the enactment and enforcement
6 of a state law under 23 USC 159 may not be consistent with the
7 policy goals of this state; now, therefore, be it

8 Resolved by the House of Representatives (the Senate
9 concurring), That we oppose the enactment and enforcement of a
10 state law, under a federal mandate, that requires the suspension or
11 revocation or the delay of issuance or reinstatement, of a driver's
12 license to an individual convicted of a violation of the federal
13 Controlled Substances Act or another drug offense; and be it
14 further

15 Resolved, That we urge the Governor to submit a written
16 certification to the United States Secretary of Transportation
17 stating the Governor's opposition to such a state law along with
18 this resolution; and be it further

19 Resolved, That copies of this resolution be transmitted to the
20 Governor.