

HOUSE BILL NO. 4606

April 13, 2021, Introduced by Rep. Mueller and referred to the Committee on Government Operations.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 216, 226, 255, 301, 306, 306a, 309, 312f, 312k, 314, and 801k (MCL 257.216, 257.226, 257.255, 257.301, 257.306, 257.306a, 257.309, 257.312f, 257.312k, 257.314, and 257.801k), sections 216, 226, 255, 301, 306, 309, 312f, 312k, 314, and 801k as amended by 2020 PA 304 and section 306a as amended by 2020 PA 376, and by adding section 205a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 205a. Within 30 days after the effective date of the
2 amendatory act that added this section, the department shall
3 provide a written report to the senate majority leader, the speaker
4 of the house of representatives, and the chairpersons of the senate
5 and house of representatives appropriations committees detailing
6 the department's plan to reopen all secretary of state's offices to
7 the general public for in-person services. The written report must
8 include, but is not limited to, all of the following:

9 (a) The number of staffs that will return to in-person work.

10 (b) The manner in which the department will transition
11 returning staffs back to in-person work.

12 (c) The manner in which the department will notify members of
13 the public that secretary of state's offices are open for in-person
14 services.

15 (d) How the department will prioritize customers who were
16 unable to renew essential documents due to the closing of the
17 secretary of state's offices.

18 (e) The department's plans to ensure the safety of staffs and
19 customers in reopened secretary of state's offices.

20 (f) Details on hours of operation for reopened secretary of
21 state's offices.

22 (g) How the department will utilize the use of kiosks and
23 other automated services at reopened secretary of state's offices.

24 Sec. 216. (1) Every motor vehicle, recreational vehicle,
25 trailer, semitrailer, and pole trailer, when driven or moved on a
26 street or highway, is subject to the registration and certificate
27 of title provisions of this act except the following:

28 (a) A vehicle driven or moved on a street or highway in
29 conformance with the provisions of this act relating to

1 manufacturers, transporters, dealers, or nonresidents.

2 (b) A vehicle that is driven or moved on a street or highway
3 only for the purpose of crossing that street or highway from 1
4 property to another.

5 (c) An implement of husbandry.

6 (d) Special mobile equipment. The secretary of state may issue
7 a special registration to an individual, partnership, corporation,
8 or association not licensed as a dealer that pays the required fee,
9 to identify special mobile equipment that is driven or moved on a
10 street or highway.

11 (e) A vehicle that is propelled exclusively by electric power
12 obtained from overhead trolley wires though not operated on rails.

13 (f) Any vehicle subject to registration, but owned by the
14 government of the United States.

15 (g) A certificate of title is not required for a trailer,
16 semitrailer, or pole trailer that weighs less than 2,500 pounds.

17 (h) A vehicle driven or moved on a street or highway, by the
18 most direct route, only for the purpose of securing a scale weight
19 receipt from a weighmaster for purposes of section 801 or obtaining
20 a vehicle inspection by a law enforcement agency before titling or
21 registration of that vehicle.

22 (i) A certificate of title is not required for a vehicle owned
23 by a manufacturer or dealer and held for sale or lease, even though
24 incidentally moved on a street or highway or used for purposes of
25 testing or demonstration.

26 (j) A bus or a school bus that is not self-propelled and is
27 used exclusively as a construction shanty.

28 (k) A certificate of title is not required for a moped.

29 (l) Except as otherwise provided in subsection (3), for 3 days

1 immediately following the date of a properly assigned title or
2 signed lease agreement from any person other than a dealer, a
3 registration is not required for a vehicle driven or moved on a
4 street or highway for the sole purpose of transporting the vehicle
5 by the most direct route from the place of purchase or lease to a
6 place of storage if the driver has in his or her possession the
7 assigned title showing the date of sale or a lease agreement
8 showing the date of the lease.

9 (m) A certificate of registration is not required for a pickup
10 camper, but a certificate of title is required.

11 (n) A new motor vehicle driven or moved on a street or highway
12 only for the purpose of moving the vehicle from an accident site to
13 a storage location if the vehicle was being transported on a
14 railroad car or semitrailer that was involved in a disabling
15 accident.

16 (o) A boat lift used for transporting vessels between a marina
17 or a body of water and a place of inland storage.

18 (2) Except as otherwise provided in this subsection, a
19 registration issued to a motor vehicle, recreational vehicle,
20 trailer, semitrailer, or pole trailer, when driven or moved on a
21 street or highway, that expires on or after March 1, 2020 is valid
22 until ~~March 31,~~ **June 30**, 2021. If the registration issued to a
23 motor vehicle, recreational vehicle, trailer, semitrailer, or pole
24 trailer, when driven or moved on a street or highway, that is used
25 for commercial purposes expires on or after March 1, 2020, the
26 registration is valid until ~~March 31,~~ **June 30**, 2021.

27 (3) Notwithstanding any provision of law to the contrary,
28 until ~~March 31,~~ **June 30**, 2021, a properly assigned title or signed
29 lease agreement from any person other than a dealer is considered

1 proof of registration of the vehicle.

2 Sec. 226. (1) Except as otherwise provided in subsection (13),
3 a vehicle registration issued by the secretary of state expires on
4 the owner's birthday, unless another expiration date is provided
5 for under this act or unless the registration is for the following
6 vehicles, in which case registration expires on the last day of
7 February:

8 (a) A commercial vehicle except for a commercial vehicle
9 issued a registration under the international registration plan or
10 a pickup truck or van owned by an individual.

11 (b) Except for a trailer or semitrailer issued a registration
12 under the international registration plan, a trailer or semitrailer
13 owned by a business, corporation, or person other than an
14 individual; or a pole trailer.

15 (2) Except as otherwise provided in subsection (13), the
16 expiration date for a registration issued for a motorcycle is the
17 motorcycle owner's birthday.

18 (3) The expiration date for a registration bearing the letters
19 "SEN" or "REP" is February 1.

20 (4) In the case of a vehicle owned by a business, corporation,
21 or an owner other than an individual, the secretary of state may
22 assign or reassign the expiration date of the registration.

23 (5) The secretary of state shall do all of the following:

24 (a) After the October 1 immediately preceding the year
25 designated on the registration, issue a registration upon
26 application and payment of the proper fee for a commercial vehicle,
27 other than a pickup or van owned by an individual; or a trailer
28 owned by a business, corporation, or person other than an
29 individual.

1 (b) Beginning 60 days before the expiration date assigned on
2 an international registration plan registration plate, issue a
3 registration under section 801g upon application and payment of the
4 proper apportioned fee for a commercial vehicle engaged in
5 interstate commerce.

6 (c) Beginning 45 days before the owner's birthday and 120 days
7 before the expiration date assigned by the secretary of state,
8 issue a registration for a vehicle other than those designated in
9 subsection (1) (a) or (b). However, if an owner whose registration
10 period begins 45 days before his or her birthday will be out of the
11 state during the 45 days immediately preceding expiration of a
12 registration or for other good cause shown cannot apply for a
13 renewal registration within the 45-day period, application for a
14 renewal registration may be made not more than 6 months before
15 expiration.

16 (6) Except as otherwise provided in this subsection, the
17 secretary of state, upon application and payment of the proper fee,
18 shall issue a registration for a vehicle or a motorcycle to a
19 resident that expires on the owner's birthday. If the owner's next
20 birthday is at least 6 months but not more than 12 months in the
21 future, the owner shall receive a registration valid until the
22 owner's next birthday. If the owner's next birthday is less than 6
23 months in the future, the owner shall receive a registration valid
24 until the owner's birthday following the owner's next birthday. The
25 tax required under this act for a registration described in this
26 subsection is either of the following:

27 (a) For an original registration, the tax must bear the same
28 relationship to the tax required under section 801 for a 12-month
29 registration as the length of the registration bears to 12 months.

1 (b) For a renewal of a registration, either of the following:

2 (i) For a registration that is for at least 6 months but not
3 more than 12 months, the same amount as for 12 months.

4 (ii) For a renewal of a registration that is for more than 12
5 months, 2 times the amount for 12 months.

6 Partial months must be considered as whole months in the
7 calculation of the required tax and in the determination of the
8 length of time between the application for a registration and the
9 owner's next birthday. The tax required for that registration must
10 be rounded off to whole dollars as provided in section 801.

11 (7) A certificate of title remains valid until canceled by the
12 secretary of state for cause or upon a transfer of an interest
13 shown on the certificate of title.

14 (8) The secretary of state, upon request, shall issue special
15 registration for commercial vehicles, valid for 6 months after the
16 date of issue, if the full registration fee exceeds \$50.00, on the
17 payment of 1/2 the full registration fee and a service charge as
18 enumerated in section 802(1).

19 (9) The secretary of state may issue a special registration
20 for each of the following:

21 (a) A new vehicle purchased or leased outside of this state
22 and delivered in this state to the purchaser or lessee by the
23 manufacturer of that vehicle for removal to a place outside of this
24 state, if a certification is made that the vehicle will be
25 primarily used, stored, and registered outside of this state and
26 will not be returned to this state by the purchaser or lessee for
27 use or storage.

28 (b) A vehicle purchased or leased in this state and delivered
29 to the purchaser or lessee by a dealer or by the owner of the

1 vehicle for removal to a place outside of this state, if a
2 certification is made that the vehicle will be primarily used,
3 stored, and registered outside of this state and will not be
4 returned to this state by the purchaser or lessee for use or
5 storage.

6 (10) A special registration issued under subsection (9) is
7 valid for not more than 30 days after the date of issuance, and a
8 fee must be collected for each special registration as provided in
9 section 802(3). The special registration may be in the form
10 determined by the secretary of state. If a dealer makes a retail
11 sale or lease of a vehicle to a purchaser or lessee who is
12 qualified and eligible to obtain a special registration, the dealer
13 shall apply for the special registration for the purchaser or
14 lessee. If a person other than a dealer sells or leases a vehicle
15 to a purchaser or lessee who is qualified and eligible to obtain a
16 special registration, the purchaser or lessee shall appear in
17 person, or by a person exercising the purchaser's or lessee's power
18 of attorney, at an office of the secretary of state and furnish a
19 certification that the person is the bona fide purchaser or lessee
20 or that the person has granted the power of attorney, together with
21 other forms required for the issuance of the special registration
22 and provide the secretary of state with proof that the vehicle is
23 covered by an automobile insurance policy issued under section 3101
24 of the insurance code of 1956, 1956 PA 218, MCL 500.3101, or proof
25 that the vehicle is covered by a policy of insurance issued by an
26 insurer under section 3163 of the insurance code of 1956, 1956 PA
27 218, MCL 500.3163. The certification required in this subsection
28 must contain all of the following:

29 (a) The address of the purchaser or lessee.

1 (b) A statement that the vehicle is purchased or leased for
2 registration outside of this state.

3 (c) A statement that the vehicle must be primarily used,
4 stored, and registered outside of this state.

5 (d) The name of the jurisdiction in which the vehicle is to be
6 registered.

7 (e) Other information requested by the secretary of state.

8 (11) In the case of a commercial vehicle, trailer, or
9 semitrailer issued a registration under the international
10 registration plan, the secretary of state in mutual agreement with
11 the owner may assign or reassign the expiration date of the
12 registration. However, the expiration date agreed to must be either
13 March 31, June 30, September 30, or December 31 or beginning on
14 February 19, 2019, the last day of a calendar month. Renewals
15 expiring on or after June 30, 2020 must be for a minimum of at
16 least 12 months if there is a change in the established expiration
17 date. Notwithstanding the provisions of this subsection, a
18 commercial vehicle, trailer, or semitrailer registration issued
19 under this subsection that expires on or after March 1, 2020 is
20 valid until ~~March 31,~~ **June 30**, 2021.

21 (12) The expiration date for a multiyear registration issued
22 for a leased vehicle must be the date the lease expires but must
23 not be for a period longer than 24 months.

24 (13) A vehicle registration described in subsection (1) or a
25 motorcycle registration described in subsection (2) that expires on
26 or after March 1, 2020 is valid until ~~March 31,~~ **June 30**, 2021.

27 Sec. 255. (1) Except as otherwise provided in this chapter, a
28 person shall not operate, nor shall an owner knowingly permit to be
29 operated, upon any highway, a vehicle required to be registered

1 under this act unless, except as otherwise provided in this
2 subsection, no later than 30 days after the vehicle is registered
3 or the vehicle's registration is renewed, a valid registration
4 plate issued for the vehicle by the department for the current
5 registration year is attached to and displayed on the vehicle as
6 required by this chapter. For purposes of this subsection, a
7 printed or electronic copy of a valid registration or verification
8 of a valid registration through the L.E.I.N. is proof that the
9 vehicle is registered or that the vehicle's registration has been
10 renewed. A registration plate is not required for a wrecked or
11 disabled vehicle, or vehicle destined for repair or junking, that
12 is being transported or drawn on a highway by a wrecker or a
13 registered motor vehicle. The 30-day period described in this
14 subsection does not apply to the first registration of a vehicle
15 after a transfer of ownership or to a transfer registration under
16 section 809.

17 (2) Except as otherwise provided in this section, a person who
18 violates subsection (1) is responsible for a civil infraction.
19 However, if the vehicle is a commercial vehicle that is required to
20 be registered according to the schedule of elected gross vehicle
21 weights under section 801(1)(k), the person is guilty of a
22 misdemeanor punishable by imprisonment for not more than 90 days or
23 a fine of not more than \$500.00, or both.

24 (3) A person who operates a vehicle licensed under the
25 international registration plan and does not have a valid
26 registration due to nonpayment of the apportioned fee is guilty of
27 a misdemeanor, punishable by imprisonment for not more than 90
28 days, or by a fine of not more than \$100.00, or both. In addition,
29 a police officer may impound the vehicle until a valid registration

1 is obtained. If the vehicle is impounded, the towing and storage
2 costs of the vehicle, and the care or preservation of the load in
3 the vehicle are the owner's responsibility. Vehicles impounded are
4 subject to a lien in the amount of the apportioned fee and any fine
5 and costs incurred under this subsection, subject to a valid lien
6 of prior record. If the apportioned fee, fine, and costs are not
7 paid within 90 days after impoundment, then following a hearing
8 before the judge or magistrate who imposed the fine and costs, the
9 judge or magistrate shall certify the unpaid judgment to the
10 prosecuting attorney of the county in which the violation occurred.
11 The prosecuting attorney shall enforce the lien by foreclosure sale
12 in accordance with the procedure authorized by law for chattel
13 mortgage foreclosures.

14 (4) A noncommercial vehicle registration described in
15 subsection (1) that expires on or after March 1, 2020 but is
16 renewed on or before ~~March 31,~~ **June 30**, 2021 is not in violation of
17 this section. A commercial vehicle registration described in
18 subsection (1) that expires on or after March 1, 2020 but is
19 renewed on or before ~~March 31,~~ **June 30**, 2021 is not in violation of
20 this section.

21 Sec. 301. (1) Except as provided in this act, an individual
22 shall not drive a motor vehicle on a highway in this state unless
23 that individual has a valid operator's or chauffeur's license with
24 the appropriate group designation and indorsements for the type or
25 class of vehicle being driven or towed. A resident of this state
26 holding a commercial driver license group indorsement issued by
27 another state shall apply for a license transfer within 30 days
28 after establishing domicile in this state.

29 (2) An individual shall not receive a license to operate a

1 motor vehicle until that individual surrenders to the secretary of
2 state all valid licenses to operate a motor vehicle issued to that
3 individual by this or any state or certifies that he or she does
4 not possess a valid license. The secretary of state shall notify
5 the issuing state that the licensee is now licensed in this state.

6 (3) An individual shall not have more than 1 valid driver
7 license.

8 (4) An individual shall not drive a motor vehicle as a
9 chauffeur unless that individual holds a valid chauffeur's license.
10 An individual shall not receive a chauffeur's license until that
11 individual surrenders to the secretary of state a valid operator's
12 or chauffeur's license issued to that individual by this or any
13 state or certifies that he or she does not possess a valid license.

14 (5) An individual holding a valid chauffeur's license need not
15 procure an operator's license.

16 (6) An operator's or chauffeur's license that expires on or
17 after March 1, 2020 is valid until ~~March 31,~~ **June 30,** 2021.

18 Sec. 306. (1) The secretary of state, on receiving an
19 application for a temporary instruction permit from an individual
20 who is 18 years of age or older, may issue that permit that
21 entitles the applicant, while carrying the permit, to drive a motor
22 vehicle other than a motor vehicle requiring an indorsement under
23 section 312a or a vehicle group designation under section 312e on
24 the highways for a period of 180 days when accompanied by a
25 licensed adult operator or chauffeur who is actually occupying a
26 seat beside the driver. A temporary instruction permit issued under
27 this subsection that expires on or after March 1, 2020 is valid
28 until ~~March 31,~~ **June 30,** 2021.

29 (2) The secretary of state may issue an original operator's

1 license and designate level 1, 2, or 3 graduated licensing
2 provisions to an individual who is less than 18 years of age, has
3 been licensed in another state or country, and has satisfied the
4 applicable requirements of section 310e. An original operator's
5 license with a designated level 1, 2, or 3 graduated licensing
6 provision issued under this subsection that expires on or after
7 March 1, 2020 is valid until ~~March 31,~~ **June 30**, 2021.

8 (3) A student enrolled in a driver education course as that
9 term is defined in section 3 of the driver education provider and
10 instructor act, 2006 PA 384, MCL 256.623, or a motorcycle safety
11 course approved by the department of state may operate a motor
12 vehicle that does not require a group designation under section
13 312e without holding an operator's license or permit while under
14 the direct supervision of the program instructor.

15 (4) A student enrolled in a driver education course as that
16 term is defined in section 3 of the driver education provider and
17 instructor act, 2006 PA 384, MCL 256.623, and who has successfully
18 completed 10 hours of classroom instruction and the equivalent of 2
19 hours of behind-the-wheel training may be issued a temporary driver
20 education certificate furnished by the department of state that
21 authorizes a student to drive a motor vehicle, other than a motor
22 vehicle that requires an indorsement under section 312a or a
23 vehicle group designation under section 312e, when accompanied by a
24 licensed parent or guardian, or when accompanied by a nonlicensed
25 parent or guardian and a licensed adult for the purpose of
26 receiving additional instruction until the end of the student's
27 driver education course. A temporary driver education certificate
28 issued under this subsection that expires on or after March 1, 2020
29 is valid until ~~March 31,~~ **June 30**, 2021.

1 (5) Beginning January 1, 2015, the secretary of state, on
2 receiving proper application from an individual 16 or 17 years of
3 age who is enrolled in or has successfully completed an approved
4 motorcycle safety course under section 811a, or an individual who
5 is 18 years of age or older and who holds a valid operator's or
6 chauffeur's license, may issue a motorcycle temporary instruction
7 permit that entitles the applicant, while carrying the permit, to
8 operate a motorcycle on the public streets and highways for a
9 period of 180 days under the following conditions:

10 (a) The applicant shall operate the motorcycle under the
11 constant visual supervision of a licensed motorcycle operator who
12 is at least 18 years of age.

13 (b) The applicant shall not operate the motorcycle at night.

14 (c) The applicant shall not operate the motorcycle with a
15 passenger.

16 (d) The applicant shall not be eligible for more than 2
17 motorcycle temporary instruction permits in a 10-year period.

18 (6) A motorcycle temporary instruction permit issued under
19 subsection (5) that expires on or after March 1, 2020 is valid
20 until ~~March 31,~~ **June 30**, 2021.

21 Sec. 306a. (1) The secretary of state may issue a commercial
22 learner's permit that entitles an individual to drive a vehicle
23 requiring a vehicle group designation or indorsement under section
24 312e if all of the following apply:

25 (a) The individual submits a proper application and meets the
26 requirements of 49 CFR part 383.

27 (b) The individual is 18 years of age or older.

28 (c) The individual holds a valid operator's or chauffeur's
29 license that is not a restricted license.

1 (d) The individual passes the knowledge tests for an original
2 vehicle group designation or indorsement, as required by 49 CFR
3 part 383.

4 (e) If the individual is applying for a hazardous materials
5 endorsement, he or she has been approved for the hazardous
6 materials endorsement by the Federal Transportation Security
7 Administration.

8 (2) An individual issued a commercial learner's permit under
9 subsection (1), or an equivalent commercial learner's permit issued
10 by another jurisdiction, may operate a vehicle requiring a vehicle
11 group designation or indorsement under section 312e, if all of the
12 following apply:

13 (a) The individual has the permit and a valid operator's or
14 chauffeur's license in his or her possession while operating the
15 vehicle.

16 (b) The individual is accompanied by an instructor certified
17 under the driver education provider and instructor act, 2006 PA
18 384, MCL 256.621 to 256.705, or an adult with a valid operator's or
19 chauffeur's license, and all of the following apply:

20 (i) The instructor or licensed adult has in his or her
21 possession a valid license with a vehicle group designation and any
22 indorsement necessary to operate the vehicle as provided in section
23 312e.

24 (ii) The instructor or licensed adult is at all times
25 physically present in the front seat of the vehicle next to the
26 operator or, in the case of a passenger vehicle, directly behind
27 the operator or in the first row behind the operator.

28 (iii) The instructor or licensed adult has the operator under
29 observation and direct supervision.

1 (c) The individual shall not operate a vehicle transporting
2 hazardous materials as defined in 49 CFR part 383.

3 (d) If the individual has a permit to operate a tank vehicle,
4 the individual may only operate an empty tank vehicle and shall not
5 operate any tank vehicle that previously contained hazardous
6 materials unless the tank has been purged of all hazardous material
7 residue.

8 (e) If the individual has a permit to operate a vehicle
9 designed to carry 16 or more passengers or a school bus, the
10 individual shall not operate a vehicle designed to carry 16 or more
11 passengers or a school bus with any passengers other than the
12 following individuals:

13 (i) The instructor or licensed adult described in this section.

14 (ii) Federal or state auditors or inspectors.

15 (iii) Test examiners.

16 (iv) Other trainees.

17 (3) A commercial learner's permit issued under this section is
18 valid for 1 year from the date of issuance.

19 (4) Notwithstanding subsection (3), a commercial learner's
20 permit issued under this section that expires on or after March 1,
21 2020 is valid until ~~March 31,~~ **June 30**, 2021.

22 Sec. 309. (1) Before issuing a license, the secretary of state
23 shall examine each applicant for an operator's or chauffeur's
24 license who at the time of the application is not the holder of a
25 valid, unrevoked operator's or chauffeur's license under a law of
26 this state providing for the licensing of drivers. Before the
27 secretary of state authorizes an individual to administer vehicle
28 group designation or endorsement knowledge tests, that individual
29 must successfully complete both a state and Federal Bureau of

1 Investigation fingerprint-based criminal history check or the
2 equivalent through the department of state police. In all other
3 cases, the secretary of state may waive the examination, except
4 that an examination must not be waived if it appears from the
5 application, from the apparent physical or mental condition of the
6 applicant, or from any other information that has come to the
7 secretary of state from another source, that the applicant does not
8 possess the physical, mental, or other qualifications necessary to
9 operate a motor vehicle in a manner as not to jeopardize the safety
10 of persons or property, or that the applicant is not entitled to a
11 license under section 303. A licensee who applies for the renewal
12 of his or her license by mail under section 307 shall certify to
13 his or her physical capability to operate a motor vehicle. The
14 secretary of state may check the applicant's driving record through
15 the National Driver Register and the Commercial Driver's License
16 Information System before issuing a license under this section.

17 (2) The secretary of state may appoint sheriffs, their
18 deputies, the chiefs of police of cities and villages that have
19 organized police departments within this state, their duly
20 authorized representatives, or employees of the secretary of state
21 as examining officers for the purpose of examining applicants for
22 operator's and chauffeur's licenses. An examining officer shall
23 conduct examinations of applicants for operator's and chauffeur's
24 licenses in accordance with this chapter and the rules promulgated
25 by the secretary of state under subsection (3). After conducting an
26 examination an examining officer shall make a written report of his
27 or her findings and recommendations to the secretary of state.

28 (3) The secretary of state shall promulgate rules under the
29 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to

1 24.328, for the examination of the applicant's physical and mental
2 qualifications to operate a motor vehicle in a manner as not to
3 jeopardize the safety of persons or property, and shall ascertain
4 whether facts exist that would bar the issuance of a license under
5 section 303. The secretary of state may consider a written medical
6 report and recommendation submitted under section 5139 of the
7 public health code, 1978 PA 368, MCL 333.5139, from the personal
8 physician or optometrist of an applicant, in making the examination
9 regarding the applicant's physical and mental qualifications to
10 operate a motor vehicle under this section and R 257.851 to R
11 257.855 of the Michigan Administrative Code. A report received by
12 the secretary of state from a physician or an optometrist under
13 this section is confidential. The secretary of state shall also
14 ascertain whether the applicant has sufficient knowledge of the
15 English language to understand highway warnings or direction signs
16 written in that language. The examination must not include
17 investigation of facts other than those facts directly pertaining
18 to the ability of the applicant to operate a motor vehicle with
19 safety or facts declared to be prerequisite to the issuance of a
20 license under this act.

21 (4) The secretary of state shall not issue an original
22 operator's or chauffeur's license without a vehicle group
23 designation or indorsement without an examination that includes a
24 driving skills test conducted by the secretary of state or by a
25 designated examining officer under subsection (2) or section 310e.
26 The secretary of state may enter into an agreement with another
27 public or private corporation or agency to conduct a driving skills
28 test conducted under this section. Before the secretary of state
29 authorizes an individual to administer a corporation's or agency's

1 driver skills testing operations or authorizes an examiner to
2 conduct a driving skills test, that individual or examiner must
3 successfully complete both a state and Federal Bureau of
4 Investigation fingerprint-based criminal history check through the
5 department of state police as required by law and as provided under
6 49 CFR 384.228. In an agreement with another public or private
7 corporation or agency to conduct a driving skills test, the
8 secretary of state shall prescribe the method and examination
9 criteria to be followed by the corporation, agency, or examiner
10 when conducting the driving skills test and the form of the
11 certification to be issued to an individual who satisfactorily
12 completes a driving skills test. An original vehicle group
13 designation or indorsement shall not be issued by the secretary of
14 state without a knowledge test conducted by the secretary of state.
15 Except as provided in section 312f(1), an original vehicle group
16 designation or passenger or school bus indorsement must not be
17 issued by the secretary of state without a driving skills test
18 conducted by an examiner appointed or authorized by the secretary
19 of state or an equivalent driving skills test meeting the
20 requirements of 49 CFR part 383 conducted in another jurisdiction.

21 (5) Except as otherwise provided in this act, the secretary of
22 state may waive the requirement of a driving skills test, knowledge
23 test, or road sign test of an applicant for an original operator's
24 or chauffeur's license without a vehicle group designation or
25 indorsement who at the time of the application is the holder of a
26 valid, unrevoked operator's or chauffeur's license issued by
27 another state or country.

28 (6) A driving skills test conducted under this section must
29 include a behind-the-wheel road test. Before conducting a behind-

1 the-wheel road test for an applicant seeking a vehicle group
2 designation, including any upgrade to a vehicle group designation,
3 or for any indorsement required to operate a commercial motor
4 vehicle, the examiner shall determine that the applicant was issued
5 his or her commercial learner's permit not less than 14 days before
6 the date of that test and that he or she has that permit in his or
7 her possession.

8 (7) A person who corrupts or attempts to corrupt a designated
9 examining officer appointed or designated by the secretary of state
10 under this section or section 310e by giving, offering, or
11 promising any gift or gratuity with the intent to influence the
12 opinion or decision of the examining officer conducting the test is
13 guilty of a felony.

14 (8) A designated examining officer appointed or designated by
15 the secretary of state who conducts a driving skills test under an
16 agreement entered into under this section or section 310e and who
17 varies from, shortens, or in any other way changes the method or
18 examination criteria prescribed in that agreement in conducting a
19 driving skills test is guilty of a felony.

20 (9) A person who forges, counterfeits, or alters a
21 satisfactorily completed driving skills test certification issued
22 by a designated examining officer appointed or designated by the
23 secretary of state under this section or section 310e is guilty of
24 a felony.

25 (10) The secretary of state shall waive the requirement of a
26 written knowledge test, road sign test, and driving skills test of
27 an applicant for an original motorcycle endorsement if the person
28 has successfully passed a motorcycle safety course approved by the
29 department as described in sections 811a and 811b.

1 (11) An operator's or chauffeur's license that expires on or
2 after March 1, 2020 is valid until ~~March 31,~~ **June 30**, 2021.

3 Sec. 312f. (1) Except as otherwise provided in this section,
4 an individual shall be not less than 18 years of age before he or
5 she is issued a vehicle group designation or indorsement, other
6 than a motorcycle indorsement, or not less than 21 years of age and
7 has been approved by the Transportation Security Administration for
8 a hazardous material indorsement before he or she is issued a
9 hazardous material indorsement on an operator's or chauffeur's
10 license and, as provided in this section, the individual shall pass
11 knowledge and driving skills tests that comply with minimum federal
12 standards prescribed in 49 CFR part 383. The knowledge and skills
13 test scores must be retained by the secretary of state as provided
14 under 49 CFR 383.135. An individual who is 18 years of age or older
15 operating a vehicle to be used for farming purposes only may obtain
16 an A or B vehicle group designation or an F vehicle indorsement.
17 Each written examination given an applicant for a vehicle group
18 designation or indorsement must include subjects designed to cover
19 the type or general class of vehicle to be operated. Except as
20 follows, an individual shall pass an examination that includes a
21 driving skills test designed to test competency of the applicant
22 for an original vehicle group designation and passenger indorsement
23 on an operator's or chauffeur's license to drive that type or
24 general class of vehicle upon the highways of this state with
25 safety to persons and property:

26 (a) The secretary of state shall waive the driving skills test
27 for an individual operating a vehicle that is used under the
28 conditions described in section 312e(8)(a) to (d) unless the
29 vehicle has a gross vehicle weight rating of 26,001 pounds or more

1 on the power unit and is to be used to carry hazardous materials on
2 which a placard is required under 49 CFR parts 100 to 199.

3 (b) The driving skills test may be waived if the applicant has
4 a valid license with the appropriate vehicle group designation,
5 passenger vehicle indorsement, or school bus indorsement in another
6 state issued in compliance with 49 USC 31301 to 31317, or if the
7 individual successfully passes a driving skills test administered
8 in another state that meets the requirements of federal law and the
9 law of this state.

10 (c) The secretary of state may waive the driving skills test
11 required under this section for an individual with military
12 commercial motor vehicle experience if the individual, at the time
13 of application, certifies and provides evidence satisfactory to the
14 secretary of state that he or she continuously met all of the
15 requirements under 49 CFR part 383 during the 2-year period
16 immediately preceding the date of application for the commercial
17 driver license.

18 (2) Except for an individual who has held an operator's or
19 chauffeur's license for less than 1 year, the secretary of state
20 shall waive the knowledge test and the driving skills test and
21 issue a 1-year seasonal restricted vehicle group designation to an
22 otherwise qualified applicant to operate a group B or a group C
23 vehicle for a farm related service industry if all of the following
24 conditions are met:

25 (a) The applicant meets the requirements of 49 CFR 383.77.

26 (b) The seasons for which the seasonal restricted vehicle
27 group designation is issued are from April 2 to June 30 and from
28 September 2 to November 30 only of a 12-month period or, at the
29 option of the applicant, for not more than 180 days from the date

1 of issuance in a 12-month period.

2 (c) The commercial motor vehicle for which the seasonal
3 restricted vehicle group designation is issued must be operated
4 only if all the following conditions are met:

5 (i) The commercial motor vehicle is operated only on routes
6 within 150 miles from the place of business to the farm or farms
7 being served.

8 (ii) The commercial motor vehicle does not transport a quantity
9 of hazardous materials on which a placard under 49 CFR parts 100 to
10 199 is required except for the following:

11 (A) Diesel motor fuel in quantities of 1,000 gallons or less.

12 (B) Liquid fertilizers in quantities of 3,000 gallons or less.

13 (C) Solid fertilizers that are not transported with any
14 organic substance.

15 (iii) The commercial motor vehicle does not require the H, N, P,
16 S, T, or X vehicle indorsement.

17 (3) A seasonal restricted vehicle group designation under this
18 section must be issued, suspended, revoked, canceled, denied, or
19 renewed in accordance with this act. The secretary of state may
20 renew a seasonal restricted vehicle group designation 1 time per
21 calendar year regardless of whether the seasonal restricted vehicle
22 group designation is expired at the time of renewal.

23 (4) The secretary of state may enter into an agreement with
24 another public or private corporation or agency to conduct a
25 driving skills test required under this section, section 312e, or
26 49 CFR part 383. Before the secretary of state authorizes an
27 individual to administer a corporation's or agency's driver skills
28 testing operations or authorizes an examiner to conduct a driving
29 skills test, that individual or examiner must complete both a state

1 and Federal Bureau of Investigation fingerprint-based criminal
2 history check through the department of state police.

3 (5) The secretary of state shall not issue a commercial
4 learner's permit, a vehicle group designation, or a vehicle
5 indorsement to an applicant for an original vehicle group
6 designation or vehicle indorsement under section 312e or may cancel
7 a commercial learner's permit or all vehicle group designations or
8 endorsements on an individual's operator's or chauffeur's license
9 to whom 1 or more of the following apply:

10 (a) The applicant has had his or her license suspended or
11 revoked for a reason other than as provided in section 321a, 515,
12 732a, or 801c or section 30 of the support and parenting time
13 enforcement act, 1982 PA 295, MCL 552.630, in the 36 months
14 immediately preceding application. However, a vehicle group
15 designation may be issued if the suspension or revocation was due
16 to a temporary medical condition or failure to appear at a
17 reexamination as provided in section 320.

18 (b) The applicant was convicted of or incurred a bond
19 forfeiture in relation to a 6-point violation as provided in
20 section 320a in the 24 months immediately preceding application if
21 the violation occurred while the applicant was operating a
22 commercial motor vehicle, or a violation of section 625(3) or
23 former section 625b, or a local ordinance that substantially
24 corresponds to section 625(3) or former section 625b in the 24
25 months immediately preceding application, if the applicant was
26 operating any type of motor vehicle.

27 (c) The applicant is listed on the National Driver Register,
28 the Commercial Driver's License Information System, or the driving
29 records of the state in which the applicant was previously licensed

1 as being disqualified from operating a commercial motor vehicle or
2 as having a license or driving privilege suspended, revoked,
3 canceled, or denied.

4 (d) The applicant is listed on the National Driver Register,
5 the Commercial Driver's License Information System, or the driving
6 records of the state in which the applicant was previously licensed
7 as having had a license suspended, revoked, or canceled in the 36
8 months immediately preceding application if a suspension or
9 revocation would have been imposed under this act had the applicant
10 been licensed in this state in the original instance. This
11 subdivision does not apply to a suspension or revocation that would
12 have been imposed due to a temporary medical condition or under
13 section 321a, 515, 732a, or 801c or section 30 of the support and
14 parenting time enforcement act, 1982 PA 295, MCL 552.630.

15 (e) The applicant is subject to a suspension or revocation
16 under section 319b or would have been subject to a suspension or
17 revocation under section 319b if the applicant had been issued a
18 vehicle group designation or vehicle indorsement.

19 (f) The applicant has been disqualified from operating a
20 commercial motor vehicle under 49 USC 31301 to 31317 or the
21 applicant's license to operate a commercial motor vehicle has been
22 suspended, revoked, denied, or canceled within 36 months
23 immediately preceding the date of application.

24 (g) The United States Secretary of Transportation has
25 disqualified the applicant from operating a commercial motor
26 vehicle.

27 (h) The applicant fails to satisfy the federal regulations
28 promulgated under 49 CFR parts 383 and 391 by refusing to certify
29 the type of commercial motor vehicle operation the applicant

1 intends to perform and fails to present valid medical certification
2 to the secretary of state if required to do so. The requirement of
3 this subdivision is waived from July 1, 2020 to ~~December 31, 2020~~
4 **May 31, 2021, or upon the revocation of the Declaration of National**
5 **Emergency Concerning the Novel Coronavirus Disease (COVID-19)**
6 **Outbreak proclaimed by the President of the United States,**
7 **whichever is earlier,** pursuant to the Waiver in Response to the
8 COVID-19 National Emergency - For States, CDL Holders, CLP Holders,
9 and Interstate Drivers Operating Commercial Motor Vehicles, or any
10 extension of that waiver issued after ~~December 31, 2020.~~ **May 31,**
11 **2021.**

12 (i) The applicant has been disqualified from operating a
13 commercial motor vehicle due to improper or fraudulent testing.

14 (j) If the secretary of state determines through a
15 governmental investigation that there is reason to believe that a
16 commercial driver license or endorsement was issued as a result of
17 fraudulent or improper conduct in taking a knowledge test or
18 driving skills test required under 49 CFR part 383, the secretary
19 of state shall require the applicant to retake and successfully
20 pass that test. The secretary of state shall cancel any commercial
21 driver license or endorsement issued as a result of the suspect
22 test unless the applicant retakes and passes that test.

23 (6) The secretary of state shall not renew or upgrade a
24 vehicle group designation if 1 or more of the following conditions
25 exist:

26 (a) The United States Secretary of Transportation has
27 disqualified the applicant from operating a commercial motor
28 vehicle.

29 (b) The applicant is listed on the National Driver Register or

1 the Commercial Driver's License Information System as being
2 disqualified from operating a commercial motor vehicle or as having
3 a driver license or driving privilege suspended, revoked, canceled,
4 or denied.

5 (c) On or after January 30, 2012, the applicant fails to meet
6 the requirements of 49 CFR parts 383 and 391 by refusing to certify
7 the type of commercial motor vehicle operation the applicant
8 intends to perform and fails to present medical certification to
9 the secretary of state if required to do so. The requirement of
10 this subdivision is waived from July 1, 2020 to ~~December 31, 2020,~~
11 **May 31, 2021, or upon the revocation of the Declaration of National**
12 **Emergency Concerning the Novel Coronavirus Disease (COVID-19)**
13 **Outbreak proclaimed by the President of the United States,**
14 **whichever is earlier,** pursuant to the Waiver in Response to the
15 COVID-19 National Emergency - For States, CDL Holders, CLP Holders,
16 and Interstate Drivers Operating Commercial Motor Vehicles, **or any**
17 **extension of that waiver issued after May 31, 2021.**

18 (7) The secretary of state shall only consider bond
19 forfeitures under subsection (5)(b) for violations that occurred on
20 or after January 1, 1990 when determining the applicability of
21 subsection (5).

22 (8) If an applicant for an original vehicle group designation
23 was previously licensed in another jurisdiction, the secretary of
24 state shall request a copy of the applicant's driving record from
25 that jurisdiction. If 1 or more of the conditions described in
26 subsection (5) exist in that jurisdiction when the secretary of
27 state receives the copy, the secretary of state shall cancel all
28 vehicle group designations on the individual's operator's or
29 chauffeur's license.

1 (9) The secretary of state shall cancel all vehicle group
2 designations on an individual's operator's or chauffeur's license
3 upon receiving notice from the United States Secretary of
4 Transportation, the National Driver Register, the Commercial
5 Driver's License Information System, or another state or
6 jurisdiction that 1 or more of the conditions described in
7 subsection (5) existed at the time of the individual's application
8 in this state.

9 (10) The secretary of state shall cancel all vehicle group
10 designations on the individual's operator's or chauffeur's license
11 upon receiving proper notice that the individual no longer meets
12 the federal driver qualification requirements under 49 CFR parts
13 383 and 391 to operate a commercial motor vehicle in interstate or
14 intrastate commerce, or the individual no longer meets the driver
15 qualification requirements to operate a commercial motor vehicle in
16 intrastate commerce under the motor carrier safety act of 1963,
17 1963 PA 181, MCL 480.11 to 480.25.

18 (11) Subsection (5) (a), (b), (d), and (f) does not apply to an
19 applicant for an original vehicle group designation who at the time
20 of application has a valid license to operate a commercial motor
21 vehicle issued by any state in compliance with 49 USC 31301 to
22 31317.

23 (12) As used in this section, "farm related service industry"
24 means custom harvesters, farm retail outlets and suppliers, agri-
25 chemical business, or livestock feeders.

26 Sec. 312k. (1) Notwithstanding any other provisions in this
27 act, all of the following apply:

28 (a) A commercial driver license that expires on or after March
29 1, 2020 is valid until ~~March 31,~~ **June 30**, 2021.

1 (b) Medical certification for operator's or chauffeur's
2 license holders with a group designation required under 49 CFR
3 391.45 that expires on or after March 1, 2020 is valid until ~~March~~
4 ~~31,~~ **June 30**, 2021. This subdivision does not apply to either of the
5 following:

6 (i) A medical certification for operator's or chauffeur's
7 license holders with a group designation required under 49 CFR
8 391.45 that was not valid before March 1, 2020.

9 (ii) An individual issued a medical certification for
10 operator's or chauffeur's license holders with a group designation
11 required under 49 CFR 391.45 who, since his or her last medical
12 certificate was issued, has been diagnosed with a medical condition
13 that would disqualify the individual from operating in interstate
14 commerce, or who, since his or her last medical certificate was
15 issued, has developed a condition that requires an exemption or
16 Skill Performance Evaluation from the Federal Motor Carrier Safety
17 Administration.

18 (c) Hazardous material endorsements that expire on or after
19 March 1, 2020 are valid until ~~October 29,~~ **December 31**, 2020. A
20 security threat assessment required under 49 CFR 1572.13(a) that is
21 valid on or after March 1, 2020 is valid until ~~October 29,~~ **December**
22 **31**, 2020. An individual with a hazardous material endorsement that
23 is extended for 180 days under this subdivision must initiate a
24 security threat assessment with the National Highway Traffic Safety
25 Administration at least 60 days before the expiration of the
26 hazardous material endorsement.

27 (2) This section does not affect the secretary of state's
28 authority to revoke or suspend an operator's or chauffeur's license
29 or a group designation or indorsement under this act.

1 Sec. 314. (1) Except as otherwise provided in this section, an
2 operator's license and chauffeur's license expire on the birthday
3 of the individual to whom the license is issued in the fourth year
4 following the date of the issuance of the license or on the date
5 the individual is no longer considered to be legally present in the
6 United States under section 307, whichever is earlier, unless
7 suspended or revoked before that date. A license must not be issued
8 for a period longer than 4 years. An individual holding a license
9 at any time 12 months before the expiration of his or her license
10 may apply for a new license as provided for in this chapter. A
11 knowledge test for an original group designation or indorsement may
12 be taken at any time during this period and the results are valid
13 for 12 months. A license renewed under this subsection must be
14 renewed for the time remaining on the license before its renewal
15 combined with the 4-year renewal period.

16 (2) The first operator's license issued to an individual who
17 at the time of application is less than 20-1/2 years of age expires
18 on the licensee's twenty-first birthday or on the date the
19 individual is no longer considered to be legally present in the
20 United States under section 307, whichever is earlier, unless
21 suspended or revoked.

22 (3) The first chauffeur's license issued to an individual
23 expires on the licensee's birthday in the fourth year following the
24 date of issuance or on the date the individual is no longer
25 considered to be legally present in the United States under section
26 307, whichever is earlier, unless the license is suspended or
27 revoked before that date. The chauffeur's license of an individual
28 who at the time of application is less than 20-1/2 years of age
29 expires on the licensee's twenty-first birthday or on the date the

1 individual is no longer considered to be legally present in the
2 United States under section 307, whichever is earlier, unless
3 suspended or revoked. A subsequent chauffeur's license expires on
4 the birthday of the individual to whom the license is issued in the
5 fourth year following the date of issuance of the license or on the
6 date the individual is no longer considered to be legally present
7 in the United States under section 307, whichever is earlier,
8 unless the license is suspended or revoked before that date.

9 (4) An individual may apply for an extension of his or her
10 driving privileges if he or she is out of state on the date that
11 his or her operator's or chauffeur's license expires. The extension
12 may extend the license for 180 days beyond the expiration date or
13 not more than 2 weeks after the applicant returns to Michigan,
14 whichever occurs first. This subsection does not apply to an
15 individual who fails to meet the requirements of 49 CFR parts 383
16 and 391 with regard to medical certification documentation
17 requirements.

18 (5) The secretary of state may issue a renewal operator's or
19 chauffeur's license to an individual who will be out of state for
20 more than 180 days beyond the expiration date of his or her
21 operator's or chauffeur's license, if the secretary of state has a
22 digital image of the individual on file. The applicant for this
23 renewal shall submit a statement evidencing a vision examination in
24 accordance with the rules promulgated by the secretary of state
25 under section 309 and any other statement required by this act or
26 federal law. An individual is not eligible for consecutive renewals
27 of a license under this subsection. This subsection does not apply
28 to an individual who fails to meet the requirements of 49 CFR parts
29 383 and 391 with regard to medical certification documentation

1 requirements, or an individual with a hazardous material
2 endorsement on his or her operator's or chauffeur's license.

3 (6) The secretary of state may check the applicant's driving
4 record through the National Driver Register and the Commercial
5 Driver's License Information System before issuing a renewal under
6 this section.

7 (7) Notwithstanding the provisions of this section, an
8 operator's or chauffeur's license that expires on or after March 1,
9 2020 is valid until ~~March 31,~~ **June 30**, 2021.

10 Sec. 801k. Notwithstanding any other provisions in this
11 chapter, late fees must not be assessed on the following vehicles:

12 (a) A vehicle registered under section 801(1)(j) or (k) or
13 section 801g whose registration expires on or after March 1, 2020
14 and whose registration is renewed before ~~March 31,~~ **June 30**, 2021.

15 (b) All other vehicles registered under this chapter whose
16 registration expires on or after March 1, 2020 and whose
17 registration is renewed before ~~March 31,~~ **June 30**, 2021.

18 Enacting section 1. This amendatory act does not take effect
19 unless all of the following bills of the 101st Legislature are
20 enacted into law:

21 (a) Senate Bill No. ____ or House Bill No. 4605 (request no.
22 02477'21).

23 (b) Senate Bill No. ____ or House Bill No. 4607 (request no.
24 02479'21).