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BILL ANALYSIS

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House Bill 5169 (Substitute H-1 as passed by the House)  
Sponsor: Representative Neal Nitz  
House Committee: Transportation  
Senate Committee: Transportation

Date Completed: 5-8-06

### **CONTENT**

**The bill would amend the Michigan Vehicle Code to add driving to and from a house of religious worship to the circumstances under which an individual with a restricted driver's license may drive; and prohibit a court from ordering the Secretary of State (SOS) to issue a restricted license to a person unless he or she did not have an alternative means of transportation to and from a house of religious worship.**

The Code requires the SOS to suspend or revoke a person's license for various violations of the law, but allows the SOS to issue a restricted license under certain circumstances. A restricted license must permit the person to whom it is issued to take any driving skills test required by the SOS and to drive in the course of his or her employment or occupation, or to and from any of the following: the person's residence or work location, an alcohol or drug education or treatment program as ordered by the court, the court probation department, a court-ordered community service program, an educational institution at which the person is enrolled, or a place of regularly occurring medical treatment for a serious condition for the person or a member of his or her household or immediate family. The bill would add a church, synagogue, mosque, or other house of religious worship.

Under the Code, a person denied a license to operate a motor vehicle, or whose license has been suspended by the SOS has a right to review of the matter in circuit court. The court may order the SOS to issue to the person a restricted license permitting him or her to drive only under the circumstances listed above (except to and from a place of regularly occurring medical treatment). Under the bill, the restricted license would have to permit the driver to attend a church, synagogue, mosque, or other house of religious worship.

The Code prohibits the court from ordering the SOS to issue a restricted license unless the person states under oath and the court finds that he or she is unable to take public transportation to and from his or her work location, place of alcohol or drug education or treatment, or educational institution, and does not have a family member or other person able to provide transportation. The bill would include a house of religious worship in this provision.

The bill would take effect 90 days after it was enacted.

MCL 257.319 & 257.323c

Legislative Analyst: Julie Koval

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bill Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.