

**SUBSTITUTE FOR
HOUSE BILL NO. 4505**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 50a, 51a, 251b, 251d, 302, 303, 307, 310, 315, 318, 511, 728, 749, 801, 814, and 819 (MCL 257.40b, 257.50a, 257.51a, 257.251b, 257.251d, 257.302, 257.303, 257.307, 257.310, 257.315, 257.318, 257.511, 257.728, 257.749, 257.801, 257.814, and 257.819), section 40b as added by 1997 PA 100, section 50a as added and section 315 as amended by 1999 PA 118, sections 302, 303, and 307 as amended by 2006 PA 298, section 310 as amended by 2005 PA 141, section 728 as amended by 1993 PA 301, section 749 as amended by 1984 PA 331, section 801 as amended by 2006 PA 562, and section 819 as amended by 1990 PA 168.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40b. (1) "Personal information" means information that
2 identifies an individual, including the individual's photograph
3 or image, name, address (but not the zip code), driver license

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1 number, social security number, telephone number, digitized
 2 signature, and medical and disability information. Personal
 3 information does not include information on driving and
 4 equipment-related violations or civil infractions, driver or
 5 vehicle registration status, vehicular accidents, or other
 6 behaviorally-related information.

7 (2) "Highly restricted personal information" means an
 8 individual's photograph or image, social security number,
 9 digitized signature, ~~and~~ medical and disability information, **AND**
 10 **SOURCE DOCUMENTS PRESENTED BY AN APPLICANT TO OBTAIN AN**
 11 **OPERATOR'S OR CHAUFFEUR'S LICENSE UNDER SECTION 307(1).**

12 Sec. 50a. "Residence address" means the place that is the
 13 settled ~~or permanent~~ home or domicile at which a person **LEGALLY**
 14 resides as defined in section 11 of the Michigan election law,
 15 1954 PA 116, MCL 168.11.

16 Sec. 51a. "Resident" means every person who [**resides**
 17 ~~in a settled or permanent home or domicile~~ **with the**
 18 ~~intention of remaining in this state. A person who obtains~~
 19 ~~employment in this state is presumed to have the intention of~~
 20 **remaining in this state AND ESTABLISHES THAT HE OR SHE IS LEGALLY PRESENT**
 21 **IN THE UNITED STATES.** This definition ~~shall apply~~ **APPLIES** to
 22 the provisions of this act only.]

23 Sec. 251b. A dealer shall not rent, lease, or furnish a
 24 motorcycle to a person for use on public streets and highways who
 25 is not licensed to operate a motorcycle by the state, if a
 26 resident, and by the state ~~of which the person is a resident~~ **IN**
 27 **WHICH THE PERSON RESIDES**, if a nonresident.

28 Sec. 251d. A person to whom a motorcycle is rented, leased,

1 or furnished, shall not rent, sublease, or otherwise authorize
2 the use of the motorcycle on public streets and highways to a
3 person who is not licensed to operate a motorcycle in this state,
4 if a resident, and by the state ~~of which the person is a resident~~
5 **IN WHICH THE PERSON RESIDES**, if a nonresident.

6 Sec. 302. The following persons are exempt from obtaining a
7 license under this chapter:

8 (a) A person serving in the armed forces of the United
9 States if furnished with a driver's permit and operating an
10 official motor vehicle in that service or a person who is a
11 military driver and operates a commercial motor vehicle for a
12 military purpose. This exemption applies to active duty military
13 personnel, members of the military reserves, active duty United
14 States coast guard personnel, and members of the national guard
15 while on active duty, including, but not limited to, personnel on
16 full-time national guard duty, personnel on part-time national
17 guard training, and national guard military technicians who are
18 civilians required to wear military uniforms. This exemption does
19 not apply to any of the following:

20 (i) United States reserve technicians.

21 (ii) Except as otherwise provided in this subdivision, a
22 person who is a civilian and in the employ of the armed forces of
23 the United States.

24 (b) A person while driving or operating a road roller, a
25 snow motor, road machinery, or a farm tractor or implement of
26 husbandry temporarily drawn, moved, or propelled on a highway, **IF**
27 **THE PERSON IS A CITIZEN OF THE UNITED STATES OR IS OTHERWISE**

1 **ELIGIBLE TO BE ISSUED AN OPERATOR'S LICENSE OR CHAUFFEUR'S**
2 **LICENSE UNDER SECTION 307(1).**

3 (c) A nonresident who is not less than 16 years of age and
4 who has been licensed either as an operator or a chauffeur under
5 a law requiring the licensing of operators or chauffeurs in his
6 or her home state and who has in his or her immediate possession
7 either a valid operator's or a valid chauffeur's license issued
8 to him or her in his or her home state.

9 (d) A nonresident who is over the age of 17 years, whose
10 home state does not require the licensing of operators, may
11 operate a motor vehicle as an operator only, for a period of not
12 more than 90 days in any calendar year, if all of the following
13 apply:

14 (i) The motor vehicle is registered in the home state or
15 country of the nonresident.

16 (ii) The nonresident has in his or her immediate possession a
17 registration card evidencing ownership and registration of the
18 motor vehicle in his or her home state or country, or is able at
19 any time or place required to prove lawful possession or the
20 right to operate the motor vehicle and to establish his or her
21 proper identity.

22 **(iii) THE NONRESIDENT IS A CITIZEN OF THE UNITED STATES OR IS**
23 **OTHERWISE ELIGIBLE TO BE ISSUED AN OPERATOR'S LICENSE OR**
24 **CHAUFFEUR'S LICENSE UNDER SECTION 307(1).**

25 (e) A person who is a member of the armed forces of the
26 United States on official leave, who on the date of his or her
27 orders granting leave possessed an operator's or chauffeur's

1 license, valid except for the expiration date of the license.
2 This exemption applies only to the person's first leave of
3 absence following the expiration of his or her license and
4 exempts the person from the provisions of this act for a period
5 not to exceed 30 days.

6 (f) A person who is a discharged member of the armed forces
7 of the United States, who on the date of his or her discharge
8 possesses an operator's or chauffeur's license, valid except for
9 the expiration date, for a period not to exceed 30 days from date
10 of discharge.

11 (g) A person who is a member of the armed forces of the
12 United States, stationed in this state, who ~~is a resident of~~
13 **RESIDES IN** another state and has a valid license issued by ~~his or~~
14 ~~her state of residence~~ **THE STATE IN WHICH HE OR SHE RESIDES.**

15 (h) A person while operating a commercial motor vehicle in
16 the course of a driving test administered by a certified examiner
17 appointed by the secretary of state and while accompanied by the
18 examiner, **IF THE PERSON IS A CITIZEN OF THE UNITED STATES OR IS**
19 **OTHERWISE ELIGIBLE TO BE ISSUED AN OPERATOR'S LICENSE OR**
20 **CHAUFFEUR'S LICENSE UNDER SECTION 307(1).**

21 (i) A person while operating a commercial motor vehicle who
22 is not disqualified from operating a commercial motor vehicle and
23 who holds a commercial driver license that is issued to him or
24 her by another state or jurisdiction under 49 CFR part 383.

25 Sec. 303. (1) The secretary of state shall not issue a
26 license under this act to any of the following persons:

27 (a) A person, as an operator, who is less than 18 years of

1 age, except as otherwise provided in this act.

2 (b) A person, as a chauffeur, who is less than 18 years of
3 age, except as otherwise provided in this act.

4 (c) A person whose license is suspended, revoked, denied, or
5 canceled in any state. If the suspension, revocation, denial, or
6 cancellation is not from the jurisdiction that issued the last
7 license to the person, the secretary of state may issue a license
8 after the expiration of 5 years from the effective date of the
9 most recent suspension, revocation, denial, or cancellation.

10 (d) A person who in the opinion of the secretary of state is
11 afflicted with or suffering from a physical or mental disability
12 or disease preventing that person from exercising reasonable and
13 ordinary control over a motor vehicle while operating the motor
14 vehicle upon the highways.

15 (e) A person who is unable to understand highway warning or
16 direction signs in the English language.

17 (f) A person who is unable to pass a knowledge, skill, or
18 ability test administered by the secretary of state in connection
19 with the issuance of an original operator's or chauffeur's
20 license, original motorcycle indorsement, or an original or
21 renewal of a vehicle group designation or vehicle indorsement.

22 (g) A person who has been convicted of, has received a
23 juvenile disposition for, or has been determined responsible for
24 2 or more moving violations under a law of this state, a local
25 ordinance substantially corresponding to a law of this state, or
26 a law of another state substantially corresponding to a law of
27 this state within the preceding 3 years, if the violations

1 occurred before issuance of an original license to the person in
2 this state, another state, or another country.

3 (h) A nonresident, including, but not limited to, a foreign
4 exchange student.

5 (i) A person who has failed to answer a citation or notice
6 to appear in court or for any matter pending or fails to comply
7 with an order or judgment of the court, including, but not
8 limited to, paying all fines, costs, fees, and assessments, in
9 violation of section 321a, until that person answers the citation
10 or notice to appear in court or for any matter pending or
11 complies with an order or judgment of the court, including, but
12 not limited to, paying all fines, costs, fees, and assessments,
13 as provided under section 321a.

14 (j) A person not licensed under this act who has been
15 convicted of, has received a juvenile disposition for, or has
16 been determined responsible for a crime or civil infraction
17 described in section 319, 324, or 904. A person shall be denied a
18 license under this subdivision for the length of time
19 corresponding to the period of the licensing sanction that would
20 have been imposed under section 319, 324, or 904 if the person
21 had been licensed at the time of the violation.

22 (k) A person not licensed under this act who has been
23 convicted of or received a juvenile disposition for committing a
24 crime described in section 319e. A person shall be denied a
25 license under this subdivision for the length of time that
26 corresponds to the period of the licensing sanction that would
27 have been imposed under section 319e if the person had been

1 licensed at the time of the violation.

2 (l) A person not licensed under this act who is determined to
3 have violated section 33b(1) of former 1933 (Ex Sess) PA 8,
4 section 703(1) of the Michigan liquor control code of 1998, 1998
5 PA 58, MCL 436.1703, or section 624a or 624b of this act. The
6 person shall be denied a license under this subdivision for a
7 period of time that corresponds to the period of the licensing
8 sanction that would have been imposed under those sections had
9 the person been licensed at the time of the violation.

10 (m) A person whose commercial driver license application is
11 canceled under section 324(2).

12 **(N) UNLESS OTHERWISE ELIGIBLE UNDER SECTION 307(1), A PERSON**
13 **WHO IS NOT A CITIZEN OF THE UNITED STATES.**

14 (2) Upon receiving the appropriate records of conviction,
15 the secretary of state shall revoke the operator's or chauffeur's
16 license of a person and deny issuance of an operator's or
17 chauffeur's license to a person having any of the following,
18 whether under a law of this state, a local ordinance
19 substantially corresponding to a law of this state, or a law of
20 another state substantially corresponding to a law of this state:

21 (a) Any combination of 2 convictions within 7 years for
22 reckless driving in violation of section 626.

23 (b) Any combination of 2 or more convictions within 7 years
24 for any of the following:

25 (i) A felony in which a motor vehicle was used.

26 (ii) A violation or attempted violation of section 601b(2) or
27 (3), section 601c(1) or (2), section 602a(4) or (5), section 617,

1 section 653a(3) or (4), or section 904(4) or (5).

2 (iii) Negligent homicide, manslaughter, or murder resulting
3 from the operation of a vehicle or an attempt to commit any of
4 those crimes.

5 (iv) A violation or attempted violation of section 479a(4) or
6 (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

7 (c) Any combination of 2 convictions within 7 years for any
8 of the following or a combination of 1 conviction for a violation
9 or attempted violation of section 625(6) and 1 conviction for any
10 of the following within 7 years:

11 (i) A violation or attempted violation of section 625, except
12 a violation of section 625(2), or a violation of any prior
13 enactment of section 625 in which the defendant operated a
14 vehicle while under the influence of intoxicating or alcoholic
15 liquor or a controlled substance, or a combination of
16 intoxicating or alcoholic liquor and a controlled substance, or
17 while visibly impaired, or with an unlawful bodily alcohol
18 content.

19 (ii) A violation or attempted violation of section 625m.

20 (iii) Former section 625b.

21 (d) One conviction for a violation or attempted violation of
22 section 315(5), section 601b(3), section 601c(2), section 602a(4)
23 or (5), section 617, section 625(4) or (5), section 653a(4), or
24 section 904(4) or (5).

25 (e) One conviction of negligent homicide, manslaughter, or
26 murder resulting from the operation of a vehicle or an attempt to
27 commit any of those crimes.

1 (f) One conviction for a violation or attempted violation of
2 section 479a(4) or (5) of the Michigan penal code, 1931 PA 328,
3 MCL 750.479a.

4 (g) Any combination of 3 convictions within 10 years for any
5 of the following or 1 conviction for a violation or attempted
6 violation of section 625(6) and any combination of 2 convictions
7 for any of the following within 10 years, if any of the
8 convictions resulted from an arrest on or after January 1, 1992:

9 (i) A violation or attempted violation of section 625, except
10 a violation of section 625(2), or a violation of any prior
11 enactment of section 625 in which the defendant operated a
12 vehicle while under the influence of intoxicating or alcoholic
13 liquor or a controlled substance, or a combination of
14 intoxicating or alcoholic liquor and a controlled substance, or
15 while visibly impaired, or with an unlawful bodily alcohol
16 content.

17 (ii) A violation or attempted violation of section 625m.

18 (iii) Former section 625b.

19 (3) The secretary of state shall revoke a license under
20 subsection (2) notwithstanding a court order unless the court
21 order complies with section 323.

22 (4) The secretary of state shall not issue a license under
23 this act to a person whose license has been revoked under this
24 act or revoked and denied under subsection (2) until all of the
25 following occur, as applicable:

26 (a) The later of the following:

27 (i) The expiration of not less than 1 year after the license

1 was revoked or denied.

2 (ii) The expiration of not less than 5 years after the date
3 of a subsequent revocation or denial occurring within 7 years
4 after the date of any prior revocation or denial.

5 (b) For a denial under subsection (2)(a), (b), (c), and (g),
6 the person rebuts by clear and convincing evidence the
7 presumption resulting from the prima facie evidence that he or
8 she is a habitual offender. The convictions that resulted in the
9 revocation and denial constitute prima facie evidence that he or
10 she is a habitual offender.

11 (c) The person meets the requirements of the department.

12 (5) The secretary of state may deny issuance of an
13 operator's license as follows:

14 (a) Until the age of 17, to a person not licensed under this
15 act who was convicted of or received a juvenile disposition for
16 violating or attempting to violate section 411a(2) of the
17 Michigan penal code, 1931 PA 328, MCL 750.411a, involving a
18 school when he or she was less than 14 years of age. A person not
19 issued a license under this subdivision is not eligible to begin
20 graduated licensing training until he or she attains 16 years of
21 age.

22 (b) To a person less than 21 years of age not licensed under
23 this act who was convicted of or received a juvenile disposition
24 for violating or attempting to violate section 411a(2) of the
25 Michigan penal code, 1931 PA 328, MCL 750.411a, involving a
26 school when he or she was less than 14 years of age or older,
27 until 3 years after the date of the conviction or juvenile

1 disposition. A person not issued a license under this subdivision
2 is not eligible to begin graduated licensing training or
3 otherwise obtain an original operator's or chauffeur's license
4 until 3 years after the date of the conviction or juvenile
5 disposition.

6 (6) The secretary of state shall deny issuance of a vehicle
7 group designation to a person if the person has been disqualified
8 by the United States secretary of transportation from operating a
9 commercial motor vehicle.

10 (7) Multiple convictions or civil infraction determinations
11 resulting from the same incident shall be treated as a single
12 violation for purposes of denial or revocation of a license under
13 this section.

14 (8) As used in this section, "felony in which a motor
15 vehicle was used" means a felony during the commission of which
16 the person operated a motor vehicle and while operating the
17 vehicle presented real or potential harm to persons or property
18 and 1 or more of the following circumstances existed:

19 (a) The vehicle was used as an instrument of the felony.

20 (b) The vehicle was used to transport a victim of the
21 felony.

22 (c) The vehicle was used to flee the scene of the felony.

23 (d) The vehicle was necessary for the commission of the
24 felony.

25 Sec. 307. (1) ~~An~~ **IF AN** applicant for an operator's **LICENSE**
26 or chauffeur's license **IS A CITIZEN OF THE UNITED STATES, THE**
27 **APPLICANT** shall supply a **PHOTOGRAPHIC IDENTITY DOCUMENT, A** birth

1 certificate, ~~attesting to his or her age or other sufficient~~
2 ~~documents or identification~~ as the secretary of state may require
3 **TO VERIFY THE IDENTITY AND CITIZENSHIP OF THE APPLICANT. IF AN**
4 **APPLICANT FOR AN OPERATOR'S OR CHAUFFEUR'S LICENSE IS NOT A**
5 **CITIZEN OF THE UNITED STATES, THE APPLICANT SHALL SUPPLY A**
6 **PHOTOGRAPHIC IDENTITY DOCUMENT AND OTHER SUFFICIENT DOCUMENTS TO**
7 **VERIFY THE IDENTITY OF THE APPLICANT AND THE APPLICANT'S LEGAL**
8 **PRESENCE IN THE UNITED STATES UNDER SUBDIVISION (B). THE**
9 **DOCUMENTS REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE THE**
10 **APPLICANT'S FULL LEGAL NAME, DATE OF BIRTH, AND ADDRESS AND**
11 **RESIDENCY AND DEMONSTRATE THAT THE APPLICANT IS A CITIZEN OF THE**
12 **UNITED STATES OR IS LEGALLY PRESENT IN THE UNITED STATES. IF THE**
13 **APPLICANT'S FULL LEGAL NAME DIFFERS FROM THE NAME OF THE**
14 **APPLICANT THAT APPEARS ON A DOCUMENT PRESENTED UNDER THIS**
15 **SUBSECTION, THE APPLICANT SHALL PRESENT DOCUMENTS TO VERIFY HIS**
16 **OR HER CURRENT FULL LEGAL NAME.** An application for an operator's
17 or chauffeur's license shall be made in a manner prescribed by
18 the secretary of state and shall contain all of the following:

19 (a) The applicant's full **LEGAL** name, date of birth,
20 residence address, height, sex, eye color, signature, and,
21 beginning January 1, 2007, intent to be an organ donor, other
22 information required or permitted on the license under this
23 chapter, and, **ONLY** to the extent required to comply with federal
24 law, the applicant's social security number. The applicant may
25 provide a mailing address if the applicant receives mail at an
26 address different from his or her residence address.

27 **(B) IF THE APPLICANT IS NOT A CITIZEN OF THE UNITED STATES,**

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1 THE APPLICANT SHALL PROVIDE DOCUMENTS DEMONSTRATING HIS OR HER
 2 LEGAL PRESENCE IN THE UNITED STATES. A PERSON LEGALLY PRESENT IN
 3 THE UNITED STATES INCLUDES, BUT IS NOT LIMITED TO, A PERSON
 4 AUTHORIZED BY THE UNITED STATES GOVERNMENT FOR EMPLOYMENT IN THE
 5 UNITED STATES, A PERSON WITH NONIMMIGRANT STATUS AUTHORIZED UNDER
 6 FEDERAL LAW, AND A PERSON WHO IS THE BENEFICIARY OF AN APPROVED
 7 IMMIGRANT VISA PETITION OR [AN APPROVED] LABOR CERTIFICATION. THE
 8 SECRETARY
 9 OF STATE SHALL ADOPT RULES UNDER THE ADMINISTRATIVE PROCEDURES
 10 ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, AS ARE NECESSARY
 11 FOR THE ADMINISTRATION OF THIS SUBDIVISION. A DETERMINATION BY
 12 THE SECRETARY OF STATE THAT AN APPLICANT IS NOT LEGALLY PRESENT
 13 IN THE UNITED STATES MAY BE APPEALED UNDER SECTION 631 OF THE
 14 REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.631.

15 (C) [~~(b)~~The

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] THE following

26 notice shall be included to inform the applicant that under
 27 sections 509o and 509r of the Michigan election law, 1954 PA 116,

1 MCL 168.509o and 168.509r, the secretary of state is required to
2 use the residence address provided on this application as the
3 applicant's residence address on the qualified voter file for
4 voter registration and voting:

5 "NOTICE: Michigan law requires that the same address
6 be used for voter registration and driver license
7 purposes. Therefore, if the residence address
8 you provide in this application differs from your
9 voter registration address as it appears on the
10 qualified voter file, the secretary of state
11 will automatically change your voter registration
12 to match the residence address on this application,
13 after which your voter registration at your former
14 address will no longer be valid for voting purposes.
15 A new voter registration card, containing the
16 information of your polling place, will be provided
17 to you by the clerk of the jurisdiction where your
18 residence address is located."

19 (D) ~~(e)~~—For an original or renewal operator's or chauffeur's
20 license with a vehicle group designation or indorsement, the
21 names of all states where the applicant has been licensed to
22 drive any type of motor vehicle during the previous 10 years.

23 (E) ~~(d)~~—For an operator's or chauffeur's license with a
24 vehicle group designation or indorsement, the following
25 certifications by the applicant:

26 (i) The applicant meets the applicable federal driver
27 qualification requirements under 49 CFR part 391 if the applicant

1 operates or intends to operate in interstate commerce or meets
2 the applicable qualifications of the department of state police
3 under the motor carrier safety act of 1963, 1963 PA 181, MCL
4 480.11 to 480.25, if the applicant operates or intends to operate
5 in intrastate commerce.

6 (ii) The vehicle in which the applicant will take the driving
7 skills tests is representative of the type of vehicle the
8 applicant operates or intends to operate.

9 (iii) The applicant is not subject to disqualification by the
10 United States secretary of transportation, or a suspension,
11 revocation, or cancellation under any state law for conviction of
12 an offense described in section 312f or 319b.

13 (iv) The applicant does not have a driver's license from more
14 than 1 state or jurisdiction.

15 (F) ~~(e)~~—An applicant for an operator's or chauffeur's
16 license with a vehicle group designation and a hazardous material
17 indorsement shall provide his or her fingerprints as prescribed
18 by state and federal law.

19 ~~(2) Except as provided in this subsection, an AN applicant~~
20 ~~for an operator's or chauffeur's license may have his or her~~
21 ~~image and signature captured or reproduced when the application~~
22 ~~for the license is made. An applicant required under section 5a~~
23 ~~of the sex offenders registration act, 1994 PA 295, MCL 28.725a,~~
24 ~~to maintain a valid operator's or chauffeur's license or official~~
25 ~~state personal identification card shall have his or her image~~
26 ~~and signature captured or reproduced when the application for the~~
27 ~~license is made. The secretary of state shall acquire by purchase~~

1 ~~or lease the equipment for capturing the images and signatures~~
2 ~~and may furnish the equipment to a local unit authorized by the~~
3 ~~secretary of state to license drivers. The secretary of state~~
4 shall acquire equipment purchased or leased pursuant to ~~UNDER~~
5 this section under standard purchasing procedures of the
6 department of management and budget based on standards and
7 specifications established by the secretary of state. The
8 secretary of state shall not purchase or lease equipment until an
9 appropriation for the equipment has been made by the legislature.

10 ~~An~~ **A DIGITAL PHOTOGRAPHIC** image and signature captured pursuant
11 ~~to~~ ~~UNDER~~ this section shall appear on the applicant's operator's
12 **LICENSE** or chauffeur's license. ~~Except as provided in this~~
13 ~~subsection, the secretary of state may retain and use a person's~~
14 ~~image and signature described in this subsection only for~~
15 ~~programs administered by the secretary of state. Except as~~
16 ~~provided in this subsection, the secretary of state shall not use~~
17 ~~a person's image or signature, or both, unless the person grants~~
18 ~~written permission for that purpose to the secretary of state or~~
19 ~~specific enabling legislation permitting the use is enacted into~~
20 ~~law. A law enforcement agency of this state has access to~~
21 ~~information retained by the secretary of state under this~~
22 ~~subsection. The information may be utilized for any law~~
23 ~~enforcement purpose unless otherwise prohibited by law. The~~
24 ~~department of state police shall provide to the secretary of~~
25 ~~state updated lists of persons required to be registered under~~
26 ~~the sex offenders registration act, 1994 PA 295, MCL 28.721 to~~
27 ~~28.736, and the secretary of state shall make the images of those~~

1 ~~persons available to the department of state police as provided~~
2 ~~in that act.~~ A PERSON'S DIGITAL PHOTOGRAPHIC IMAGE SHALL BE USED
3 AS FOLLOWS:

4 (A) BY A FEDERAL, STATE, OR LOCAL GOVERNMENTAL AGENCY FOR A
5 LAW ENFORCEMENT PURPOSE AUTHORIZED BY LAW.

6 (B) BY THE SECRETARY OF STATE FOR A USE SPECIFICALLY
7 AUTHORIZED BY LAW.

8 (C) BY THE SECRETARY OF STATE FOR FORWARDING TO THE
9 DEPARTMENT OF STATE POLICE THE IMAGES TO PERSONS REQUIRED TO BE
10 REGISTERED UNDER THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295,
11 MCL 28.271 TO 28.726, UPON THE DEPARTMENT OF STATE POLICE
12 PROVIDING THE SECRETARY OF STATE AN UPDATED LIST OF THE NAMES OF
13 THOSE PERSONS.

14 (D) AS NECESSARY TO COMPLY WITH A LAW OF THIS STATE OR OF
15 THE UNITED STATES.

16 (3) An application shall contain a signature or verification
17 and certification by the applicant, as determined by the
18 secretary of state, and shall be accompanied by the proper fee.
19 The secretary of state shall collect the application fee with the
20 application. The secretary of state shall refund the application
21 fee to the applicant if the license applied for is denied, but
22 shall not refund the fee to an applicant who fails to complete
23 the examination requirements of the secretary of state within 90
24 days after the date of application for a license.

25 (4) In conjunction with the application for or, until
26 January 1, 2007, the issuance of an operator's **LICENSE** or
27 chauffeur's license, the secretary of state shall do all of the

1 following:

2 (a) Provide the applicant with all of the following:

3 (i) Information explaining the applicant's right to make an
4 anatomical gift in the event of death in accordance with section
5 310.

6 (ii) Information describing the organ, tissue, and eye donor
7 registry program. The information required under this
8 subparagraph includes the address and telephone number of
9 Michigan's federally designated organ procurement organization or
10 its successor organization.

11 (iii) Information giving the applicant the opportunity to be
12 placed on the registry described in subparagraph (ii).

13 (b) Provide the applicant with the opportunity to specify on
14 his or her operator's or chauffeur's license that he or she is
15 willing to make an anatomical gift in the event of death in
16 accordance with section 310.

17 (c) Inform the applicant that, if he or she indicates to the
18 secretary of state under this section a willingness to have his
19 or her name placed on the registry described in subdivision
20 (a) (ii), the secretary of state will mark the applicant's record
21 for the registry.

22 (d) Provide the applicant with the opportunity to make a
23 donation of \$1.00 or more to the organ and tissue donation
24 education fund created under section 217o. A donation made under
25 this subdivision shall be deposited in the state treasury to the
26 credit of the organ and tissue donation education fund.

27 (5) The secretary of state may fulfill the requirements of

1 subsection (4) by 1 or more of the following methods:

2 (a) Providing printed material enclosed with a mailed notice
3 for an operator's or chauffeur's license renewal or the issuance
4 of an operator's or chauffeur's license.

5 (b) Providing printed material to an applicant who
6 personally appears at a secretary of state branch office.

7 (c) Through electronic information transmittals for
8 operator's and chauffeur's licenses processed by electronic
9 means.

10 (6) Until January 1, 2007, if an applicant indicates a
11 willingness under this section to have his or her name placed on
12 the organ donor registry described in subsection (4) (a) (ii), the
13 secretary of state shall within 10 days forward the applicant's
14 name, and address, and date of birth to the organ donor registry
15 maintained by Michigan's federally designated organ procurement
16 organization or its successor organization. The secretary of
17 state may forward information under this subsection by mail or by
18 electronic means. The secretary of state shall not maintain a
19 record of the name or address of an individual who indicates a
20 willingness to have his or her name placed on the organ donor
21 registry after forwarding that information to the organ donor
22 registry under this subsection. Information about an applicant's
23 indication of a willingness to have his or her name placed on the
24 organ donor registry that is obtained by the secretary of state
25 under subsection (4) and forwarded under this subsection is
26 exempt from disclosure under section 13(1)(d) of the freedom of
27 information act, 1976 PA 442, MCL 15.243. Beginning January 1,

1 2007, the secretary of state shall maintain a record of an
2 individual who indicates a willingness to have his or her name
3 placed on the registry described in subsection (4) (a) (ii) .
4 Information about an applicant's indication of a willingness to
5 have his or her name placed on the registry that is obtained by
6 the secretary of state under subsection (4) and forwarded under
7 subsection (14) is exempt from disclosure under section 13(1) (d)
8 of the freedom of information act, 1976 PA 442, MCL 15.243.

9 (7) If an application is received from a person previously
10 licensed in another jurisdiction, the secretary of state shall
11 request a copy of the applicant's driving record and other
12 available information from the national driver register. When
13 received, the driving record and other available information
14 become a part of the driver's record in this state.

15 (8) If an application is received for an original, renewal,
16 or upgrade of a vehicle group designation or indorsement, the
17 secretary of state shall request the person's complete driving
18 record from all states where the applicant was previously
19 licensed to drive any type of motor vehicle over the last 10
20 years before issuing a vehicle group designation or indorsement
21 to the applicant. If the applicant does not hold a valid
22 commercial motor vehicle driver license from a state where he or
23 she was licensed in the last 10 years, this complete driving
24 record request must be made not earlier than 24 hours before the
25 secretary of state issues the applicant a vehicle group
26 designation or indorsement. For all other drivers, this request
27 must be made not earlier than 10 days before the secretary of

1 state issues the applicant a vehicle group designation or
2 indorsement. The secretary of state shall also check the
3 applicant's driving record with the national driver register and
4 the federal commercial driver license information system before
5 issuing that group designation or indorsement. If the application
6 is for the renewal of a vehicle group designation or indorsement,
7 and if the secretary of state enters on the person's historical
8 driving record maintained under section 204a a notation that the
9 request was made and the date of the request, the secretary of
10 state is required to request the applicant's complete driving
11 record from other states only once under this section.

12 (9) Except for a vehicle group designation or indorsement or
13 as provided in this subsection or section 314(5), the secretary
14 of state may issue a renewal operator's or chauffeur's license
15 for 1 additional 4-year period by mail or by other methods
16 prescribed by the secretary of state. The secretary of state may
17 check the applicant's driving record through the national driver
18 register and the commercial driver license information system
19 before issuing a license under this section. The secretary of
20 state shall issue a renewal license only in person if the person
21 is a person required under section 5a of the sex offenders
22 registration act, 1994 PA 295, MCL 28.725a, to maintain a valid
23 operator's or chauffeur's license or official state personal
24 identification card. If a license is renewed by mail or by other
25 method, the secretary of state shall issue evidence of renewal to
26 indicate the date the license expires in the future. The
27 department of state police shall provide to the secretary of

1 state updated lists of persons required under section 5a of the
2 sex offenders registration act, 1994 PA 295, MCL 28.725a, to
3 maintain a valid operator's or chauffeur's license or official
4 state personal identification card.

5 (10) Upon request, the secretary of state shall provide an
6 information manual to an applicant explaining how to obtain a
7 vehicle group designation or indorsement. The manual shall
8 contain the information required under 49 CFR part 383.

9 (11) The secretary of state shall not disclose a social
10 security number obtained under subsection (1) to another person
11 except for use for 1 or more of the following purposes:

12 (a) Compliance with 49 USC 31301 to 31317 and regulations
13 and state law and rules related to this chapter.

14 (b) ~~Through the law enforcement information network, to~~ **TO**
15 carry out the purposes of section ~~466(a)~~ **666(A)** of the social
16 security act, 42 USC 666, in connection with matters relating to
17 paternity, child support, or overdue child support.

18 (c) To check an applicant's driving record through the
19 national driver register and the commercial driver license
20 information system when issuing a license under this act.

21 (d) With the department of community health, for comparison
22 with vital records maintained by the department of community
23 health under part 28 of the public health code, 1978 PA 368, MCL
24 333.2801 to 333.2899.

25 (e) As otherwise required by law.

26 (12) The secretary of state shall not display a person's
27 social security number on the person's operator's or chauffeur's

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1 license.

2 (13) A requirement under this section to include a social
3 security number on an application does not apply to an applicant
4 who demonstrates he or she is exempt under law from obtaining a
5 social security number. ~~or to an applicant who for religious~~
6 ~~convictions is exempt under law from disclosure of his or her~~
7 ~~social security number under these circumstances. The secretary~~
8 ~~of state shall inform the applicant of this possible exemption.~~

9 (14) ~~Beginning January 1, 2007, the~~ **THE** secretary of state
10 shall maintain the organ, tissue, and eye donor registry in a
11 manner that provides electronic access, including, but not
12 limited to, transfer of data to this state's federally designated
13 organ procurement organizations, their successor organizations,
14 and tissue and eye banks with limitations on the use of and
15 access to the donor registry as determined by the secretary of
16 state.

17 (15) **THE SECRETARY OF STATE, WITH THE APPROVAL OF THE STATE**
18 **ADMINISTRATIVE BOARD CREATED UNDER 1921 PA 2, MCL 17.1 TO 17.3,**
19 **MAY ENTER INTO AGREEMENTS WITH THE UNITED STATES GOVERNMENT TO**
20 **VERIFY WHETHER AN APPLICANT FOR AN OPERATOR'S LICENSE OR A**
21 **CHAUFFEUR'S LICENSE UNDER THIS SECTION WHO IS NOT A CITIZEN OF**
22 **THE UNITED STATES IS AUTHORIZED UNDER FEDERAL LAW TO BE PRESENT**
23 **IN THE UNITED STATES.**

**[(16) THE SECRETARY OF STATE SHALL NOT ISSUE AN OPERATOR'S LICENSE
OR A CHAUFFEUR'S LICENSE TO A PERSON HOLDING AN OPERATOR'S LICENSE OR
CHAUFFEUR'S LICENSE ISSUED BY ANOTHER STATE WITHOUT CONFIRMATION THAT THE
PERSON IS TERMINATING OR HAS TERMINATED THE OPERATOR'S LICENSE OR
CHAUFFEUR'S LICENSE ISSUED BY THE OTHER STATE.]**

(17) THE SECRETARY OF STATE SHALL DO ALL OF THE FOLLOWING:

**(A) ENSURE THE PHYSICAL SECURITY OF LOCATIONS WHERE OPERATOR'S
LICENSES AND CHAUFFEUR'S LICENSES ARE PRODUCED AND THE SECURITY OF
DOCUMENT MATERIALS AND PAPERS FROM WHICH OPERATOR'S LICENSES AND
CHAUFFEUR'S LICENSES ARE PRODUCED.**

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(B) SUBJECT ALL PERSONS AUTHORIZED TO MANUFACTURE OR PRODUCE OPERATOR'S LICENSES OR CHAUFFEUR'S LICENSES AND ALL PERSONS WHO HAVE THE ABILITY TO AFFECT THE IDENTITY INFORMATION THAT APPEARS ON OPERATOR'S LICENSES OR CHAUFFEUR'S LICENSES TO APPROPRIATE SECURITY CLEARANCE REQUIREMENTS. THE SECURITY REQUIREMENTS OF THIS SUBDIVISION AND SUBDIVISION (A) MAY REQUIRE THAT LICENSES BE MANUFACTURED OR PRODUCED IN THIS STATE.

(C) PROVIDE FRAUDULENT DOCUMENT RECOGNITION PROGRAMS TO DEPARTMENT OF STATE EMPLOYEES ENGAGED IN THE ISSUANCE OF OPERATOR'S LICENSES AND CHAUFFEUR'S LICENSES.]

24 Sec. 310. (1) The secretary of state shall issue an
25 operator's license to each person licensed as an operator and a
26 chauffeur's license to each person licensed as a chauffeur. An
27 applicant for a motorcycle indorsement under section 312a or a

1 vehicle group designation or indorsement shall first qualify for
 2 an operator's or chauffeur's license before the indorsement or
 3 vehicle group designation application is accepted and processed.
 4 ~~On and after July 1, 2003, an~~ **AN** original license or the first
 5 renewal of an existing license issued to a person less than 21
 6 years of age shall be portrait or vertical in form and a license
 7 issued to a person 21 years of age or over shall be landscape or
 8 horizontal in form.

9 (2) The license issued under subsection (1) shall contain
 10 all of the following: ~~information:~~

11 (a) The distinguishing number permanently assigned to the
 12 licensee.

13 (b) The full **LEGAL** name, date of birth, address of
 14 residence, height, eye color, sex, **DIGITAL PHOTOGRAPHIC** image,
 15 **EXPIRATION DATE**, and signature of the licensee.

16 ~~— (c) Until January 1, 2007, a place for the licensee to~~
 17 ~~indicate 1 or more of the following:~~

18 ~~— (i) The blood type of the licensee.~~

19 ~~— (ii) Immunization data of the licensee.~~

20 ~~— (iii) Medication data of the licensee.~~

21 ~~— (iv) A statement that the licensee is deaf.~~

22 ~~— (v) Until January 1, 2007, a statement that the licensee is~~
 23 ~~an organ and tissue donor under part 101 of the public health~~
 24 ~~code, 1978 PA 368, MCL 333.10101 to 333.10109.~~

25 ~~— (vi) Emergency contact information of the licensee.~~

26 ~~— (vii) A sticker or decal as specified by the secretary of~~
 27 ~~state to indicate that the licensee has designated 1 or more~~

1 ~~patient advocates in accordance with section 5506 of the estates~~
2 ~~and protected individuals code, 1998 PA 386, MCL 700.5506, or a~~
3 ~~statement that the licensee carries an emergency medical~~
4 ~~information card.~~

5 ~~—— (d) Until January 1, 2007, if the licensee has made a~~
6 ~~statement described in subdivision (c) (v), the signature of the~~
7 ~~licensee following the indication of his or her organ and tissue~~
8 ~~donor intent identified in subdivision (c) (v), along with the~~
9 ~~signature of at least 1 witness.~~

10 ~~—— (e) In the case of a licensee who is less than 18 years of~~
11 ~~age at the time of issuance of the license, the date on which the~~
12 ~~licensee will become 18 years of age and 21 years of age.~~

13 ~~—— (f) In the case of a licensee who is at least 18 years of~~
14 ~~age but less than 21 years of age at the time of issuance of the~~
15 ~~license, the date on which the licensee will become 21 years of~~
16 ~~age.~~

17 (C) ~~(g) Beginning January 1, 2007, in~~ IN the case of a
18 licensee who has indicated his or her wish to participate in the
19 organ and tissue donor registry under part 101 of the public
20 health code, 1978 PA 368, MCL 333.10101 to 333.10109, a heart
21 insignia on the front of the license.

22 (D) **PHYSICAL SECURITY FEATURES DESIGNED TO PREVENT**
23 **TAMPERING, COUNTERFEITING, OR DUPLICATION OF THE LICENSE FOR**
24 **FRAUDULENT PURPOSES.**

25 (3) Except as otherwise required under this chapter, other
26 information required on the license pursuant to this chapter may
27 appear on the license in a form prescribed by the secretary of

1 state.

2 (4) The license shall not contain a fingerprint or finger
3 image of the licensee.

4 (5) A digitized license may contain an identifier for voter
5 registration purposes. The digitized license may contain
6 information appearing in electronic or machine readable codes
7 needed to conduct a transaction with the secretary of state. The
8 information shall be limited to the person's driver license
9 number, birth date, license expiration date, and other
10 information necessary for use with electronic devices, machine
11 readers, or automatic teller machines and shall not contain the
12 person's name, address, driving record, or other personal
13 identifier. The license shall identify the encoded information.

14 (6) The license shall be manufactured in a manner to
15 prohibit as nearly as possible the ability to reproduce, alter,
16 counterfeit, forge, or duplicate the license without ready
17 detection. In addition, a license with a vehicle group
18 designation shall contain the information required under 49 CFR
19 part 383.

20 (7) Except as provided in subsection (11), a person who
21 intentionally reproduces, alters, counterfeits, forges, or
22 duplicates a license photograph, the negative of the photograph,
23 image, license, or electronic data contained on a license or a
24 part of a license or who uses a license, image, or photograph
25 that has been reproduced, altered, counterfeited, forged, or
26 duplicated is subject to 1 of the following:

27 (a) If the intent of the reproduction, alteration,

1 counterfeiting, forging, duplication, or use is to commit or aid
2 in the commission of an offense that is a felony punishable by
3 imprisonment for 10 or more years, the person committing the
4 reproduction, alteration, counterfeiting, forging, duplication,
5 or use is guilty of a felony, punishable by imprisonment for not
6 more than 10 years or a fine of not more than \$20,000.00, or
7 both.

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

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

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

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

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

12 (10) Except as provided in subsection (16), a person who is
13 in 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
18 both.

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

22 (12) The secretary of state, upon determining after an
23 examination that an applicant is mentally and physically
24 qualified to receive a license, may issue the applicant a
25 temporary driver's permit. The temporary driver's permit entitles
26 the applicant, while having the permit in his or her immediate
27 possession, to drive a motor vehicle upon the highway for a

1 period not exceeding 60 days before the secretary of state has
2 issued the applicant an operator's or chauffeur's license. The
3 secretary of state may establish a longer duration for the
4 validity of a temporary driver's permit if necessary to
5 accommodate the process of obtaining a background check that is
6 required for an applicant by federal law.

7 (13) An operator or chauffeur may indicate on the license in
8 a place designated by the secretary of state his or her blood
9 type, emergency contact information, immunization data,
10 medication data, or a statement that the licensee is deaf. ~~or,~~
11 ~~until January 1, 2007, a statement that the licensee is an organ~~
12 ~~and tissue donor and has made an anatomical gift under part 101~~
13 ~~of the public health code, 1978 PA 368, MCL 333.10101 to~~
14 ~~333.10109.~~

15 (14) An operator or chauffeur may indicate on the license in
16 a place designated by the secretary of state that he or she has
17 designated a patient advocate in accordance with sections 5506 to
18 ~~5513~~**5515** of the estates and protected individuals code, 1998 PA
19 386, MCL 700.5506 to ~~700.5513~~**700.5515**.

20 (15) If the applicant provides proof to the secretary of
21 state that he or she is a minor who has been emancipated under
22 1968 PA 293, MCL 722.1 to 722.6, the license shall bear the
23 designation of the individual's emancipated status in a manner
24 prescribed by the secretary of state.

25 (16) Subsections (8), (9), and (10) do not apply to a person
26 who is in possession of 1 or more photocopies, reproductions, or
27 duplications of a license to document the identity of the

1 licensee for a legitimate business purpose.

2 (17) ~~The~~**A** sticker or decal ~~described in subsection~~
3 ~~(2)(e)(vii)~~ may be provided by any person, hospital, school,
4 medical group, or association interested in assisting in
5 implementing ~~the~~**AN** emergency medical information card, but shall
6 meet the specifications of the secretary of state. ~~The~~**AN**
7 emergency medical information card may contain ~~the information~~
8 ~~described in subsection (2)(e)(vi)~~, information concerning the
9 licensee's patient advocate designation, other emergency medical
10 information, or an indication as to where the licensee has stored
11 or registered emergency medical information.

12 (18) ~~Beginning January 1, 2007, the~~**THE** secretary of state
13 shall inquire of each licensee, in person or by mail, whether the
14 licensee agrees to participate in the organ, tissue, and eye
15 donor registry under part 101 of the public health code, 1978 PA
16 368, MCL 333.10101 to 333.10109.

17 (19) A licensee who has agreed to participate in the organ,
18 tissue, and eye donor registry under part 101 of the public
19 health code, 1978 PA 368, MCL 333.10101 to 333.10109, shall not
20 be considered to have revoked that agreement solely because the
21 licensee's license has been revoked or suspended or has expired.
22 Enrollment in the organ, tissue, and eye donor registry
23 constitutes a legal agreement that remains binding and in effect
24 after the donor's death regardless of the expressed desires of
25 the deceased donor's next of kin who may oppose the donor's
26 organ, tissue, or eye donation.

27 Sec. 315. (1) An operator or chauffeur who changes his or

1 her residence before the expiration of a license granted under
2 this chapter shall immediately notify the secretary of state of
3 his or her new residence address. A change of address
4 notification shall be in a manner prescribed by the secretary of
5 state and may include notification by personally appearing at a
6 branch office of the secretary of state or other location
7 designated by the secretary of state, or a notification by mail,
8 telephone, electronically, by submitting a voter registration
9 application unless the person registers to vote in a city,
10 village, or township that prohibits the operation of motor
11 vehicles by law or ordinance, or by any other means prescribed by
12 the secretary of state. The secretary of state shall provide the
13 person changing his or her residence address the notice required
14 by section ~~307(1)(b)~~ **307(1)(C)** that, under sections 509o and 509r
15 of the Michigan election law, 1954 PA 116, MCL 168.509o and
16 168.509r, the secretary of state is required to use the residence
17 address provided on this change of address application as the
18 person's residence address on the qualified voter file for voter
19 registration and voting. However, a person may submit to the
20 secretary of state a mailing address that is different than his
21 or her residence address.

22 (2) Upon receiving a change of address notification, the
23 secretary of state shall change the person's driver license
24 record to indicate the new residence address. The secretary of
25 state shall provide the person with a new license or a label or
26 some other mechanism containing the new residence address. Upon
27 receipt of the label or other mechanism, the person shall affix

1 the label or mechanism to his or her operator's or chauffeur's
2 license as prescribed by the secretary of state. If the secretary
3 of state furnished the person with a new license, the person
4 shall destroy his or her old license and replace it with the new
5 license.

6 (3) If a person fails to report a change of his or her
7 residence address as required under this section and subsequently
8 there is no response to a notice mailed to the residence address
9 shown by the record of the secretary of state or if the person
10 has provided the secretary of state a mailing address different
11 from his or her residence address and there is no response to a
12 notice mailed to that mailing address, the secretary of state may
13 immediately suspend or revoke his or her license. A person who
14 fails to report a change of his or her residence address is
15 responsible for a civil infraction.

16 (4) A person shall not knowingly report a change of address
17 to the secretary of state for himself or herself that is not his
18 or her residence address. A person shall not knowingly report a
19 change of address to the secretary of state for another person
20 without the consent of the other person. A person who is
21 convicted of a violation of this subsection is guilty of a
22 misdemeanor punishable by imprisonment for not more than 93 days
23 or a fine of \$1,000.00, or both. Upon receiving the abstract of a
24 conviction under this subsection, the secretary of state may
25 suspend the person's operator's or chauffeur's license for 6
26 months. The secretary of state shall not issue a restricted
27 license to the person during the suspension.

1 (5) Upon a second or subsequent conviction under subsection
2 (4), a person is guilty of a misdemeanor punishable by
3 imprisonment for not more than 93 days or a fine of \$5,000.00, or
4 both. Upon receiving the abstract of a second or subsequent
5 conviction under subsection (4), the secretary of state shall
6 revoke the person's operator's or chauffeur's license.

7 (6) The suspension or revocation of an operator's or
8 chauffeur's license under subsection (4) or (5) is not appealable
9 under section 323.

10 Sec. 318. The secretary of state may suspend or revoke the
11 license ~~of a resident of this state~~ **ISSUED UNDER THIS ACT** upon
12 receiving notice of the conviction of that person in another
13 state of an offense in that state, or the determination of
14 responsibility of that person in an administrative adjudication
15 in another state for a violation in that state which, if
16 committed in this state, would be grounds for the suspension or
17 revocation of the license of an operator or chauffeur.

18 Sec. 511. (1) ~~(a) Whenever any~~ **IF A** person fails within 30
19 days to satisfy ~~any~~ **A** judgment, the clerk of the court, or of the
20 judge of a court ~~which~~ **THAT** has no clerk, in which the judgment
21 is rendered shall forward to the secretary of state immediately
22 upon the request of the plaintiff or ~~his~~ **PLAINTIFF'S** attorney
23 after the expiration of 30 days an abstract of the court record
24 of the judgment properly certified, on forms supplied by the
25 department.

26 (2) ~~(b)~~ Failure, refusal, or neglect to comply with ~~the~~
27 ~~provisions of paragraph (a) of this section shall constitute~~

1 **SUBSECTION (1) CONSTITUTES** misconduct in office and ~~shall be~~ **IS**
2 grounds for removal ~~therefrom~~ **FROM OFFICE**.

3 (3) ~~(e)~~ If the defendant named in ~~any~~ **AN** abstract of court
4 record reported to the secretary of state **UNDER SUBSECTION (1)** is
5 a nonresident, the secretary of state shall transmit a certified
6 copy of the abstract of court record to the official in charge of
7 ~~the issuance of~~ **ISSUING** licenses and registration certificates of
8 the state ~~of which the defendant is a resident~~ **IN WHICH THE**
9 **DEFENDANT RESIDES**.

10 Sec. 728. (1) When a person is arrested without a warrant
11 for a violation of this act punishable as a misdemeanor, or an
12 ordinance substantially corresponding to a provision of this act
13 and punishable as a misdemeanor, under conditions not referred to
14 in section 617, 619, or 727, the arresting officer shall prepare,
15 as soon as possible and as completely as possible, an original
16 and 3 copies of a written citation to appear in court containing
17 the name and address of the person, the violation charged, and
18 the time and place when and where the person shall appear in
19 court. The officer shall inform the offender of the violation and
20 shall give the second copy of the citation to the alleged
21 offender. If the arrested person demands, he or she shall be
22 arraigned by a magistrate or probate court as provided in section
23 727 in lieu of being given the citation.

24 (2) The time specified in the citation to appear shall be
25 within a reasonable time after the arrest.

26 (3) The place specified in the citation to appear shall be
27 before a magistrate or probate court within the county in which

1 the violation charged is alleged to have been committed and who
2 has jurisdiction of the violation.

3 (4) Appearance may be made in person, by representation, or
4 by mail. If appearance is made by representation or mail, the
5 magistrate may accept the plea of guilty or not guilty for
6 purposes of arraignment, with the same effect as though the
7 person personally appeared before him or her. The magistrate, by
8 giving 5 days' notice of the date of appearance, may require
9 appearance in person at the time and place designated in the
10 citation.

11 (5) If a ~~person who is not a resident of this state~~
12 **NONRESIDENT** is arrested without warrant for a violation of this
13 act ~~which~~ **THAT** is punishable as a misdemeanor, or an ordinance
14 substantially corresponding to a provision of this act and
15 punishable as a misdemeanor, under conditions not referred to in
16 section 727, the arresting officer, upon demand of the arrested
17 person, immediately shall take the person for arraignment by a
18 magistrate in the vicinity to answer to the complaint made
19 against the person. If a magistrate is not available or an
20 immediate trial cannot be had, the person arrested may recognize
21 to the officer for his or her appearance by leaving with the
22 officer a guaranteed appearance certificate or a sum of money not
23 to exceed \$100.00, in which case the following provisions apply:

24 (a) The officer making the arrest shall give a receipt to
25 the person arrested for the guaranteed appearance certificate or
26 the money deposited together with a written citation as provided
27 in subsection (1).

1 (b) If the alleged offender fails to appear as required in
2 the citation, the guaranteed appearance certificate or deposit
3 shall be forfeited as in other cases of default in bail in
4 addition to any other penalty provided in this chapter.

5 (c) At or before the completion of his or her tour of duty,
6 a police officer taking a certificate or deposit of money shall
7 deliver the certificate or deposit of money either to the
8 magistrate named in the citation together with a report of the
9 facts relating to the arrest, or to the police chief or person
10 authorized by the police chief to receive certificates and
11 deposits. The police chief or person authorized by the police
12 chief shall deposit with the court the certificate or the money
13 deposited and the citation in the same manner as prescribed for
14 citations in section 728a. Failure to make a report and deliver
15 the money deposited is embezzlement of public money.

16 (d) "Guaranteed appearance certificate" means a card or
17 certificate containing a printed statement that a surety company
18 authorized to do business in this state guarantees the appearance
19 of the person whose signature appears on the card or certificate,
20 and that the company, if the person fails to appear in court at
21 the time of trial or sentencing or to pay any fines or costs
22 imposed ~~pursuant to~~ **UNDER** this act, will pay any fine, costs, or
23 bond forfeiture imposed on the person in a total amount not to
24 exceed \$200.00.

25 (6) An officer making an arrest under this chapter for a
26 misdemeanor without a warrant, except under section 727, is not
27 entitled to any fees for making the arrest or the issuance of a

1 citation under this section.

2 (7) An officer or magistrate ~~violating~~ **WHO VIOLATES** this
3 section is guilty of misconduct in office and subject to removal
4 from office.

5 (8) A police officer may issue a citation to a person who is
6 ~~a driver~~ **AN OPERATOR** of a motor vehicle involved in an accident
7 if, based upon personal investigation, the officer has reasonable
8 cause to believe that the person has committed a misdemeanor
9 under this act in connection with the accident. The officer shall
10 prepare an original and 3 copies of the citation, setting forth
11 the name and address of the person, the violation that may be
12 charged against the person, and the time and place of the
13 appearance of the person in court. The citation shall inform the
14 person of the office, bureau, or department to which requests for
15 a change or adjournment of the court date may be made.

16 (9) If the citation is issued to a person who is operating a
17 commercial motor vehicle, the citation shall contain the vehicle
18 group designation and indorsement description of the vehicle
19 operated by the person at the time of the alleged violation.

20 Sec. 749. (1) When a ~~person who is not a resident of this~~
21 ~~state~~ **NONRESIDENT** is stopped **UNDER SECTION 742** for a civil
22 infraction, ~~pursuant to section 742,~~ the police officer making
23 the stop shall take that person's ~~driver's~~ **OPERATOR'S** license **OR**
24 **CHAUFFEUR'S LICENSE** as security for the nonresident's appearance
25 in court and satisfaction of any order ~~which~~ **THAT** may be issued
26 under section 907 and shall issue to that person a citation as
27 provided in sections 727c and 742. At or before the completion of

1 his or her tour of duty, a police officer taking the ~~driver's~~
2 **OPERATOR'S license OR CHAUFFEUR'S LICENSE** shall deliver ~~the~~
3 ~~driver's~~~~THAT~~ license either to the court named in the citation
4 or to the police chief or person authorized by the police chief
5 to receive citations and ~~drivers'~~**OPERATOR'S licenses AND**
6 **CHAUFFEUR'S LICENSES**. The police chief or person authorized shall
7 deposit the ~~driver's~~ license and citation with the court in the
8 same manner as prescribed for citations in section 728a. Failure
9 to deliver the license shall be considered contempt of court. If
10 the person does not have a ~~AN OPERATOR'S license OR A CHAUFFEUR'S~~
11 **LICENSE** in immediate possession in violation of section 301 or a
12 license or the receipt described in section 311a in violation of
13 section 311, the officer shall arrest that person ~~pursuant to~~
14 **UNDER** section ~~727(4)~~**727(D)**.

15 (2) In lieu of the officer's taking of the license under
16 subsection (1) or before appearance in court, the person stopped
17 may recognize to the officer or to the court for his or her
18 appearance by leaving with the officer or court a guaranteed
19 appearance certificate or a sum of money not to exceed \$100.00.

20 (3) If a magistrate is available for an immediate
21 appearance, upon demand of the person stopped, the officer
22 immediately shall take the nonresident driver before the
23 magistrate to answer to the civil infraction alleged. Upon entry
24 of an admission of responsibility for the civil infraction, with
25 or without explanation, or upon completion of an informal
26 hearing, the defendant's license shall be returned if judgment is
27 entered for the defendant, if any adverse judgment entered

1 against the defendant is satisfied, or if the defendant leaves
2 with the court a guaranteed appearance certificate or a sum of
3 money not to exceed \$100.00 as security for payment of any fines
4 or costs ordered. If the nonresident defendant requests a formal
5 hearing, the hearing shall be scheduled as provided in section
6 747 but the defendant's license shall be retained by the court
7 until final resolution of the matter unless the defendant leaves
8 with the court the guaranteed appearance certificate or deposit
9 as provided in subsection (2) as security for appearance at the
10 scheduled formal hearing.

11 (4) The officer receiving a guaranteed appearance
12 certificate or deposit of money under subsection (2) shall give a
13 receipt to the person stopped for the guaranteed appearance
14 certificate or the money deposited together with the written
15 citation required under subsection (1).

16 (5) At or before the completion of his or her tour of duty a
17 police officer taking a certificate or deposit of money shall
18 deliver the certificate or deposit of money and the citation
19 either to the court named in the citation, or to the police chief
20 or person authorized by the police chief to receive certificates
21 or deposits. The police chief or person authorized shall deposit
22 the certificate or the money deposited and the citation with the
23 court in the same manner as prescribed for citations in section
24 728a. Failure to deliver the money deposited shall be
25 embezzlement of public money.

26 (6) If the person who posts a certificate or deposit fails
27 to appear as required in the citation or for a scheduled formal

1 hearing, the court having jurisdiction and venue over the civil
2 infraction shall enter a default judgment against the person, and
3 the guaranteed appearance certificate or money deposited shall be
4 forfeited and applied to any civil fine or costs ordered ~~pursuant~~
5 ~~to~~ **UNDER** section 907.

6 (7) For purposes of this section, "guaranteed appearance
7 certificate" means a card or certificate containing a printed
8 statement that a surety company authorized to do business in this
9 state guarantees the appearance of the person whose signature
10 appears on the card or certificate, and that the company, if the
11 person fails to appear in court at the time of a scheduled
12 informal or formal hearing or to pay any fine or costs imposed
13 ~~pursuant to~~ **UNDER** section 907, will pay any fine, costs, or bond
14 forfeiture imposed on the person in a total amount not to exceed
15 \$200.00.

16 Sec. 801. (1) The secretary of state shall collect the
17 following taxes at the time of registering a vehicle, which shall
18 exempt the vehicle from all other state and local taxation,
19 except the fees and taxes provided by law to be paid by certain
20 carriers operating motor vehicles and trailers under the motor
21 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed
22 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to
23 207.234; and except as otherwise provided by this act:

24 (a) For a motor vehicle, including a motor home, except as
25 otherwise provided, and a pickup truck or van that weighs not
26 more than 8,000 pounds, except as otherwise provided, according
27 to the following schedule of empty weights:

1	Empty weights	Tax
2	0 to 3,000 pounds.....	\$ 29.00
3	3,001 to 3,500 pounds.....	32.00
4	3,501 to 4,000 pounds.....	37.00
5	4,001 to 4,500 pounds.....	43.00
6	4,501 to 5,000 pounds.....	47.00
7	5,001 to 5,500 pounds.....	52.00
8	5,501 to 6,000 pounds.....	57.00
9	6,001 to 6,500 pounds.....	62.00
10	6,501 to 7,000 pounds.....	67.00
11	7,001 to 7,500 pounds.....	71.00
12	7,501 to 8,000 pounds.....	77.00
13	8,001 to 8,500 pounds.....	81.00
14	8,501 to 9,000 pounds.....	86.00
15	9,001 to 9,500 pounds.....	91.00
16	9,501 to 10,000 pounds.....	95.00
17	over 10,000 pounds.....	\$ 0.90 per 100 pounds
18		of empty weight

19 On October 1, 1983, and October 1, 1984, the tax assessed
20 under this subdivision shall be annually revised for the
21 registrations expiring on the appropriate October 1 or after that
22 date by multiplying the tax assessed in the preceding fiscal year
23 times the personal income of Michigan for the preceding calendar
24 year divided by the personal income of Michigan for the calendar
25 year that preceded that calendar year. In performing the
26 calculations under this subdivision, the secretary of state shall
27 use the spring preliminary report of the United States department
28 of commerce or its successor agency. A van that is owned by an

1 individual who uses a wheelchair or by an individual who
2 transports a ~~resident~~**MEMBER** of his or her household who uses a
3 wheelchair and for which registration plates are issued under
4 section 803d shall be assessed at the rate of 50% of the tax
5 provided for in this subdivision.

6 (b) For a trailer coach attached to a motor vehicle, the tax
7 shall be assessed as provided in subdivision (1). A trailer coach
8 not under 1959 PA 243, MCL 125.1035 to 125.1043, and while
9 located on land otherwise assessable as real property under the
10 general property tax act, 1893 PA 206, MCL 211.1 to 211.157, if
11 the trailer coach is used as a place of habitation, and whether
12 or not permanently affixed to the soil, is not exempt from real
13 property taxes.

14 (c) For a road tractor, truck, or truck tractor owned by a
15 farmer and used exclusively in connection with a farming
16 operation, including a farmer hauling livestock or farm equipment
17 for other farmers for remuneration in kind or in labor, but not
18 for money, or used for the transportation of the farmer and the
19 farmer's family, and not used for hire, 74 cents per 100 pounds
20 of empty weight of the road tractor, truck, or truck tractor. If
21 the road tractor, truck, or truck tractor owned by a farmer is
22 also used for a nonfarming operation, the farmer is subject to
23 the highest registration tax applicable to the nonfarm use of the
24 vehicle but is not subject to more than 1 tax rate under this
25 act.

26 (d) For a road tractor, truck, or truck tractor owned by a
27 wood harvester and used exclusively in connection with the wood

1 harvesting operations or a truck used exclusively to haul milk
2 from the farm to the first point of delivery, 74 cents per 100
3 pounds of empty weight of the road tractor, truck, or truck
4 tractor. A registration secured by payment of the tax prescribed
5 in this subdivision continues in full force and effect until the
6 regular expiration date of the registration. As used in this
7 subdivision:

8 (i) "Wood harvester" includes the person or persons hauling
9 and transporting raw materials in the form produced at the
10 harvest site or hauling and transporting wood harvesting
11 equipment. Wood harvester does not include a person or persons
12 whose primary activity is tree-trimming or landscaping.

13 (ii) "Wood harvesting equipment" includes all of the
14 following:

15 (A) A vehicle that directly harvests logs or timber,
16 including, but not limited to, a processor or a feller buncher.

17 (B) A vehicle that directly processes harvested logs or
18 timber, including, but not limited to, a slasher, delimeter,
19 processor, chipper, or saw table.

20 (C) A vehicle that directly processes harvested logs or
21 timber, including, but not limited to, a forwarder, grapple
22 skidder, or cable skidder.

23 (D) A vehicle that directly loads harvested logs or timber,
24 including, but not limited to, a knucle-boom loader, front-end
25 loader, or forklift.

26 (E) A bulldozer or road grader being transported to a wood
27 harvesting site specifically for the purpose of building or

1 maintaining harvest site roads.

2 (iii) "Wood harvesting operations" does not include the
3 transportation of processed lumber, Christmas trees, or processed
4 firewood for a profit making venture.

5 (e) For a hearse or ambulance used exclusively by a licensed
6 funeral director in the general conduct of the licensee's funeral
7 business, including a hearse or ambulance whose owner is engaged
8 in the business of leasing or renting the hearse or ambulance to
9 others, \$1.17 per 100 pounds of the empty weight of the hearse or
10 ambulance.

11 (f) For a vehicle owned and operated by this state, a state
12 institution, a municipality, a privately incorporated, nonprofit
13 volunteer fire department, or a nonpublic, nonprofit college or
14 university, \$5.00 per plate. A registration plate issued under
15 this subdivision expires on June 30 of the year in which new
16 registration plates are reissued for all vehicles by the
17 secretary of state.

18 (g) For a bus including a station wagon, carryall, or
19 similarly constructed vehicle owned and operated by a nonprofit
20 parents' transportation corporation used for school purposes,
21 parochial school or society, church Sunday school, or any other
22 grammar school, or by a nonprofit youth organization or nonprofit
23 rehabilitation facility; or a motor vehicle owned and operated by
24 a senior citizen center, \$10.00, if the bus, station wagon,
25 carryall, or similarly constructed vehicle or motor vehicle is
26 designated by proper signs showing the organization operating the
27 vehicle.

1 (h) For a vehicle owned by a nonprofit organization and used
 2 to transport equipment for providing dialysis treatment to
 3 children at camp; for a vehicle owned by the civil air patrol, as
 4 organized under 36 USC 40301 to 40307, \$10.00 per plate, if the
 5 vehicle is designated by a proper sign showing the civil air
 6 patrol's name; for a vehicle owned and operated by a nonprofit
 7 veterans center; for a vehicle owned and operated by a nonprofit
 8 recycling center or a federally recognized nonprofit conservation
 9 organization; for a motor vehicle having a truck chassis and a
 10 locomotive or ship's body that is owned by a nonprofit veterans
 11 organization and used exclusively in parades and civic events; or
 12 for an emergency support vehicle used exclusively for emergencies
 13 and owned and operated by a federally recognized nonprofit
 14 charitable organization, \$10.00 per plate.

15 (i) For each truck owned and operated free of charge by a
 16 bona fide ecclesiastical or charitable corporation, or red cross,
 17 girl scout, or boy scout organization, 65 cents per 100 pounds of
 18 the empty weight of the truck.

19 (j) For each truck, weighing 8,000 pounds or less, and not
 20 used to tow a vehicle, for each privately owned truck used to tow
 21 a trailer for recreational purposes only and not involved in a
 22 profit making venture, and for each vehicle designed and used to
 23 tow a mobile home or a trailer coach, except as provided in
 24 subdivision (b), \$38.00 or an amount computed according to the
 25 following schedule of empty weights, whichever is greater:

26	Empty weights	Per 100 pounds
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1	0 to 2,500 pounds.....	\$ 1.40
2	2,501 to 4,000 pounds.....	1.76
3	4,001 to 6,000 pounds.....	2.20
4	6,001 to 8,000 pounds.....	2.72
5	8,001 to 10,000 pounds.....	3.25
6	10,001 to 15,000 pounds.....	3.77
7	15,001 pounds and over.....	4.39

8 If the tax required under subdivision (p) for a vehicle of
9 the same model year with the same list price as the vehicle for
10 which registration is sought under this subdivision is more than
11 the tax provided under the preceding provisions of this
12 subdivision for an identical vehicle, the tax required under this
13 subdivision is not less than the tax required under subdivision
14 (p) for a vehicle of the same model year with the same list
15 price.

16 (k) For each truck weighing 8,000 pounds or less towing a
17 trailer or any other combination of vehicles and for each truck
18 weighing 8,001 pounds or more, road tractor or truck tractor,
19 except as provided in subdivision (j) according to the following
20 schedule of elected gross weights:

21	Elected gross weight	Tax
22	0 to 24,000 pounds.....	\$ 491.00
23	24,001 to 26,000 pounds.....	558.00
24	26,001 to 28,000 pounds.....	558.00
25	28,001 to 32,000 pounds.....	649.00
26	32,001 to 36,000 pounds.....	744.00
27	36,001 to 42,000 pounds.....	874.00

1	42,001 to 48,000 pounds.....	1,005.00
2	48,001 to 54,000 pounds.....	1,135.00
3	54,001 to 60,000 pounds.....	1,268.00
4	60,001 to 66,000 pounds.....	1,398.00
5	66,001 to 72,000 pounds.....	1,529.00
6	72,001 to 80,000 pounds.....	1,660.00
7	80,001 to 90,000 pounds.....	1,793.00
8	90,001 to 100,000 pounds.....	2,002.00
9	100,001 to 115,000 pounds.....	2,223.00
10	115,001 to 130,000 pounds.....	2,448.00
11	130,001 to 145,000 pounds.....	2,670.00
12	145,001 to 160,000 pounds.....	2,894.00
13	over 160,000 pounds.....	3,117.00

14 For each commercial vehicle registered under this
 15 subdivision, \$15.00 shall be deposited in a truck safety fund to
 16 be expended for the purposes prescribed in section 25 of 1951 PA
 17 51, MCL 247.675.

18 If a truck or road tractor without trailer is leased from an
 19 individual owner-operator, the lessee, whether a person, firm, or
 20 corporation, shall pay to the owner-operator 60% of the tax
 21 prescribed in this subdivision for the truck tractor or road
 22 tractor at the rate of 1/12 for each month of the lease or
 23 arrangement in addition to the compensation the owner-operator is
 24 entitled to for the rental of his or her equipment.

25 (l) For each pole trailer, semitrailer, trailer coach, or
 26 trailer, the tax shall be assessed according to the following
 27 schedule of empty weights:

1	Empty weights	Tax
2	0 to 2,499 pounds.....	\$ 75.00
3	2,500 to 9,999 pounds.....	200.00
4	10,000 pounds and over.....	300.00

5 The registration plate issued under this subdivision expires
6 only when the secretary of state reissues a new registration
7 plate for all trailers. Beginning October 1, 2005, if the
8 secretary of state reissues a new registration plate for all
9 trailers, a person who has once paid the tax as increased by 2003
10 PA 152 for a vehicle under this subdivision is not required to
11 pay the tax for that vehicle a second time, but is required to
12 pay only the cost of the reissued plate at the rate provided in
13 section 804(2) for a standard plate. A registration plate issued
14 under this subdivision is nontransferable.

15 (m) For each commercial vehicle used for the transportation
16 of passengers for hire except for a vehicle for which a payment
17 is made under 1960 PA 2, MCL 257.971 to 257.972, according to the
18 following schedule of empty weights:

19	Empty weights	Per 100 pounds
20	0 to 4,000 pounds.....	\$ 1.76
21	4,001 to 6,000 pounds.....	2.20
22	6,001 to 10,000 pounds.....	2.72
23	10,001 pounds and over.....	3.25
24		
25	(n) For each motorcycle.....	\$ 23.00

26 On October 1, 1983, and October 1, 1984, the tax assessed

1 under this subdivision shall be annually revised for the
2 registrations expiring on the appropriate October 1 or after that
3 date by multiplying the tax assessed in the preceding fiscal year
4 times the personal income of Michigan for the preceding calendar
5 year divided by the personal income of Michigan for the calendar
6 year that preceded that calendar year. In performing the
7 calculations under this subdivision, the secretary of state shall
8 use the spring preliminary report of the United States department
9 of commerce or its successor agency.

10 Beginning January 1, 1984, the registration tax for each
11 motorcycle is increased by \$3.00. The \$3.00 increase is not part
12 of the tax assessed under this subdivision for the purpose of the
13 annual October 1 revisions but is in addition to the tax assessed
14 as a result of the annual October 1 revisions. Beginning January
15 1, 1984, \$3.00 of each motorcycle fee shall be placed in a
16 motorcycle safety fund in the state treasury and shall be used
17 only for funding the motorcycle safety education program as
18 provided for under sections 312b and 811a.

19 (o) For each truck weighing 8,001 pounds or more, road
20 tractor, or truck tractor used exclusively as a moving van or
21 part of a moving van in transporting household furniture and
22 household effects or the equipment or those engaged in conducting
23 carnivals, at the rate of 80% of the schedule of elected gross
24 weights in subdivision (k) as modified by the operation of that
25 subdivision.

26 (p) After September 30, 1983, each motor vehicle of the 1984
27 or a subsequent model year as shown on the application required

1 under section 217 that has not been previously subject to the tax
 2 rates of this section and that is of the motor vehicle category
 3 otherwise subject to the tax schedule described in subdivision
 4 (a), and each low-speed vehicle according to the following
 5 schedule based upon registration periods of 12 months:

6 (i) Except as otherwise provided in this subdivision, for the
 7 first registration that is not a transfer registration under
 8 section 809 and for the first registration after a transfer
 9 registration under section 809, according to the following
 10 schedule based on the vehicle's list price:

11 List Price	Tax
12 \$ 0 - \$ 6,000.00.....	\$ 30.00
13 More than \$ 6,000.00 - \$ 7,000.00.....	\$ 33.00
14 More than \$ 7,000.00 - \$ 8,000.00.....	\$ 38.00
15 More than \$ 8,000.00 - \$ 9,000.00.....	\$ 43.00
16 More than \$ 9,000.00 - \$ 10,000.00.....	\$ 48.00
17 More than \$ 10,000.00 - \$ 11,000.00.....	\$ 53.00
18 More than \$ 11,000.00 - \$ 12,000.00.....	\$ 58.00
19 More than \$ 12,000.00 - \$ 13,000.00.....	\$ 63.00
20 More than \$ 13,000.00 - \$ 14,000.00.....	\$ 68.00
21 More than \$ 14,000.00 - \$ 15,000.00.....	\$ 73.00
22 More than \$ 15,000.00 - \$ 16,000.00.....	\$ 78.00
23 More than \$ 16,000.00 - \$ 17,000.00.....	\$ 83.00
24 More than \$ 17,000.00 - \$ 18,000.00.....	\$ 88.00
25 More than \$ 18,000.00 - \$ 19,000.00.....	\$ 93.00
26 More than \$ 19,000.00 - \$ 20,000.00.....	\$ 98.00
27 More than \$ 20,000.00 - \$ 21,000.00.....	\$ 103.00
28 More than \$ 21,000.00 - \$ 22,000.00.....	\$ 108.00
29 More than \$ 22,000.00 - \$ 23,000.00.....	\$ 113.00

1	More than \$ 23,000.00 - \$ 24,000.00.....	\$ 118.00
2	More than \$ 24,000.00 - \$ 25,000.00.....	\$ 123.00
3	More than \$ 25,000.00 - \$ 26,000.00.....	\$ 128.00
4	More than \$ 26,000.00 - \$ 27,000.00.....	\$ 133.00
5	More than \$ 27,000.00 - \$ 28,000.00.....	\$ 138.00
6	More than \$ 28,000.00 - \$ 29,000.00.....	\$ 143.00
7	More than \$ 29,000.00 - \$ 30,000.00.....	\$ 148.00

8 More than \$30,000.00, the tax of \$148.00 is increased by
 9 \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00
 10 increment over \$30,000.00. If a current tax increases or
 11 decreases as a result of 1998 PA 384, only a vehicle purchased or
 12 transferred after January 1, 1999 shall be assessed the increased
 13 or decreased tax.

14 (ii) For the second registration, 90% of the tax assessed
 15 under subparagraph (i).

16 (iii) For the third registration, 90% of the tax assessed
 17 under subparagraph (ii).

18 (iv) For the fourth and subsequent registrations, 90% of the
 19 tax assessed under subparagraph (iii).

20 For a vehicle of the 1984 or a subsequent model year that
 21 has been previously registered by a person other than the person
 22 applying for registration or for a vehicle of the 1984 or a
 23 subsequent model year that has been previously registered in
 24 another state or country and is registered for the first time in
 25 this state, the tax under this subdivision shall be determined by
 26 subtracting the model year of the vehicle from the calendar year
 27 for which the registration is sought. If the result is zero or a

1 negative figure, the first registration tax shall be paid. If the
2 result is 1, 2, or 3 or more, then, respectively, the second,
3 third, or subsequent registration tax shall be paid. A van that
4 is owned by an individual who uses a wheelchair or by an
5 individual who transports a ~~resident~~**MEMBER** of his or her
6 household who uses a wheelchair and for which registration plates
7 are issued under section 803d shall be assessed at the rate of
8 50% of the tax provided for in this subdivision.

9 (q) For a wrecker, \$200.00.

10 (r) When the secretary of state computes a tax under this
11 section, a computation that does not result in a whole dollar
12 figure shall be rounded to the next lower whole dollar when the
13 computation results in a figure ending in 50 cents or less and
14 shall be rounded to the next higher whole dollar when the
15 computation results in a figure ending in 51 cents or more,
16 unless specific taxes are specified, and the secretary of state
17 may accept the manufacturer's shipping weight of the vehicle
18 fully equipped for the use for which the registration application
19 is made. If the weight is not correctly stated or is not
20 satisfactory, the secretary of state shall determine the actual
21 weight. Each application for registration of a vehicle under
22 subdivisions (j) and (m) shall have attached to the application a
23 scale weight receipt of the vehicle fully equipped as of the time
24 the application is made. The scale weight receipt is not
25 necessary if there is presented with the application a
26 registration receipt of the previous year that shows on its face
27 the weight of the motor vehicle as registered with the secretary

1 of state and that is accompanied by a statement of the applicant
2 that there has not been a structural change in the motor vehicle
3 that has increased the weight and that the previous registered
4 weight is the true weight.

5 (2) A manufacturer is not exempted under this act from
6 paying ad valorem taxes on vehicles in stock or bond, except on
7 the specified number of motor vehicles registered. A dealer is
8 exempt from paying ad valorem taxes on vehicles in stock or bond.

9 (3) Until October 1, 2009, the tax for a vehicle with an
10 empty weight over 10,000 pounds imposed under subsection (1)(a)
11 and the taxes imposed under subsection (1)(c), (d), (e), (f),
12 (i), (j), (m), (o), and (p) are each increased as follows:

13 (a) A regulatory fee of \$2.25 that shall be credited to the
14 traffic law enforcement and safety fund created in section 819a
15 and used to regulate highway safety.

16 (b) A fee of \$5.75 that shall be credited to the
17 transportation administration collection fund created in section
18 810b.

19 (4) If a tax required to be paid under this section is not
20 received by the secretary of state on or before the expiration
21 date of the registration plate, the secretary of state shall
22 collect a late fee of \$10.00 for each registration renewed after
23 the expiration date. An application for a renewal of a
24 registration using the regular mail and postmarked before the
25 expiration date of that registration shall not be assessed a late
26 fee. The late fee collected under this subsection shall be
27 deposited into the general fund.

1 (5) As used in this section:

2 (a) "Gross proceeds" means that term as defined in section 1
3 of the general sales tax act, 1933 PA 167, MCL 205.51, and
4 includes the value of the motor vehicle used as part payment of
5 the purchase price as that value is agreed to by the parties to
6 the sale, as evidenced by the signed agreement executed under
7 section 251.

8 (b) "List price" means the manufacturer's suggested base
9 list price as published by the secretary of state, or the
10 manufacturer's suggested retail price as shown on the label
11 required to be affixed to the vehicle under 15 USC 1232, if the
12 secretary of state has not at the time of the sale of the vehicle
13 published a manufacturer's suggested retail price for that
14 vehicle, or the purchase price of the vehicle if the
15 manufacturer's suggested base list price is unavailable from the
16 sources described in this subdivision.

17 (c) "Purchase price" means the gross proceeds received by
18 the seller in consideration of the sale of the motor vehicle
19 being registered.

20 Sec. 814. (a) ~~Whenever it shall appear~~ **IF IT APPEARS TO THE**
21 **SECRETARY OF STATE** that ~~the~~ **A** motor vehicle was purchased by ~~the~~
22 **AN** applicant in ~~any~~ **A** state other than ~~Michigan~~ **THIS STATE**,
23 unless the applicant produces a certificate of title ~~duly~~ issued
24 to ~~him~~ **THE APPLICANT** under the laws of ~~such~~ **THAT** state, or **A**
25 certificate of registration or registered bill of sale **ISSUED**
26 under the ~~provisions of the laws of such states~~ **ANOTHER STATE**
27 showing **THE** applicant for **A** Michigan certificate of title to have

1 ~~been resident of~~ **RESIDED IN** the state which has ~~THAT~~ issued such
2 **THE** certificate of title, **CERTIFICATE OF** registration, or
3 registered bill of sale, ~~it shall be the duty of the~~ secretary of
4 state ~~to~~ **SHALL** conduct an investigation of ~~said~~ **THE** purchase and
5 sale and of the title to ~~said~~ **THE** motor vehicle. ~~The~~ **IF THE**
6 secretary of state ~~, if~~ **IS** satisfied that the applicant is the
7 owner of ~~such~~ **THE** motor vehicle, or **IS** otherwise entitled to have
8 ~~the same registered in his~~ **REGISTER THE MOTOR VEHICLE IN THE**
9 **APPLICANT'S** name, ~~shall thereupon~~ **THE SECRETARY OF STATE SHALL**
10 issue to the applicant an appropriate certificate of title ~~in~~
11 ~~accordance with~~ **UNDER** section 217. ~~of this act.~~ Before the
12 secretary of state ~~shall issue such a~~ **ISSUES THE** certificate of
13 title, the applicant shall attach to ~~his~~ **THE** application a
14 statement showing the amount of use tax due upon the motor
15 vehicle described in the application on a form prescribed by the
16 state board of tax administration **TREASURER**, together with the
17 amount of the use tax due upon ~~such~~ **THE** motor vehicle, under the
18 ~~provisions of Act No. 94 of the Public Acts of 1937, except that~~
19 ~~when such~~ **USE TAX ACT, 1937 PA 94, MCL 205.91 TO 205.111.**
20 **HOWEVER, IF THE** motor vehicle is exempt by law from the payment
21 of use tax, no ~~such~~ **USE** tax shall be paid.

22 (b) ~~It shall be the duty of the~~ **THE** secretary of state ~~to~~
23 ~~forthwith~~ **SHALL** transmit ~~such~~ **THE** statement and the funds
24 **COLLECTED UNDER SUBDIVISION (A)** covering the payment of the use
25 tax to the state board of tax administration **TREASURER**. The
26 secretary of state shall not issue a certificate of title ~~on any~~
27 ~~such~~ **FOR A** motor vehicles **VEHICLE** until the ~~provisions hereof~~

1 ~~with respect to the payment of the use tax have been complied~~
2 ~~with~~ **REQUIREMENTS OF THIS SECTION ARE SATISFIED.** ~~All owners of~~
3 ~~motor vehicles purchased without the state of Michigan who shall~~
4 ~~have~~ **AN OWNER OF A MOTOR VEHICLE PURCHASED OUTSIDE OF THIS STATE**
5 **WHO** paid the use tax to the secretary of state ~~, as herein~~
6 ~~provided, shall not be~~ **UNDER THIS SECTION IS NOT** required to
7 comply with sections 6, 7, and 8 of Act No. 94 of the Public Acts
8 of 1937 of the state of Michigan **THE USE TAX ACT, 1937 PA 94, MCL**
9 **205.96, 205.97, AND 205.98.**

10 (c) ~~Any person owning~~ **AN OWNER OF** a motor vehicle purchased
11 from a Michigan dealer **IN THIS STATE** without application of sales
12 tax ~~by reason of the exercise of any of the provisions of~~
13 ~~subsection (j) of section 4a of Act No. 167 of the Public Acts of~~
14 ~~1933, as amended, being sections 205.51 to 205.78 of the Compiled~~
15 ~~Laws of 1948~~ **DUE TO AN EXEMPTION UNDER SECTION 4A OF THE GENERAL**
16 **SALES TAX ACT, 1933 PA 167, MCL 205.54A,** who later by reason of
17 storage or use is required to register ~~such~~ **THE** vehicle in
18 Michigan **THIS STATE** shall pay a use tax at **THE** time of
19 registration, ~~except when such vehicle is exempt by law,~~ computed
20 on the retail dollar value of a like vehicle, **EXCEPT WHEN THE**
21 **MOTOR VEHICLE IS EXEMPT FROM THE USE TAX.** The secretary of state
22 shall use as his **OR HER** guide the retail dollar value ~~as is shown~~
23 ~~in~~ **FROM** the current issue of any nationally recognized used
24 vehicle guide for financial institution appraisal purposes in
25 Michigan **THIS STATE.**

26 Sec. 819. (1) Except as provided in subsections (2) and (3),
27 revenue from the increases in fees provided in ~~the~~ 1987

1 ~~amendatory act that added this section is appropriated to PA 232~~
2 **SHALL BE DEPOSITED IN** the transportation economic development
3 fund **ESTABLISHED IN SECTION 2 OF 1987 PA 231, MCL 247.902,** and
4 shall not be appropriated for any other purpose in any act making
5 appropriations of state funds.

6 ~~—— (2) For the fiscal year ending September 30, 1988, of the~~
7 ~~revenue from the increases in fees provided by the 1987~~
8 ~~amendatory act that added this section, \$1,350,000.00 shall be~~
9 ~~deposited in the state treasury and credited to the general fund,~~
10 ~~except that not more than \$500,000.00 shall be credited to the~~
11 ~~gasoline inspection and testing fund created in section 8 of Act~~
12 ~~No. 44 of the Public Acts of 1984, being section 290.648 of the~~
13 ~~Michigan Compiled Laws, and \$100,000.00 shall be used during~~
14 ~~either the fiscal year ending September 30, 1990, or the fiscal~~
15 ~~year ending September 30, 1991, for research of products derived~~
16 ~~from corn grown in this state for, but not limited to~~
17 ~~transportation purposes as described in section 9 of article IX~~
18 ~~of the state constitution of 1963.~~

19 (2) ~~(3)~~ For the fiscal year ending September 30, 1989, and
20 each fiscal year thereafter, of the revenue from the increases in
21 fees provided in the ~~1987 amendatory act that added this section~~
22 **PA 232,** \$2,500,000.00 shall be deposited in the state treasury
23 and credited to the general fund, except that not more than
24 \$1,000,000.00 shall be credited to the gasoline inspection and
25 testing fund **ESTABLISHED IN SECTION 8 OF THE MOTOR FUELS QUALITY**
26 **ACT, 1984 PA 44, MCL 290.648.**