

**SUBSTITUTE FOR
SENATE BILL NO. 878**

A bill to amend 2008 PA 23, entitled
"Enhanced driver license and enhanced official state personal
identification card act,"
by amending sections 4 and 6 (MCL 28.304 and 28.306), section 4 as
amended by 2018 PA 47 and section 6 as amended by 2009 PA 211.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The secretary of state may issue an enhanced
2 driver's license or enhanced official state personal identification
3 card to an applicant who provides satisfactory proof of his or her
4 full legal name, United States citizenship, identity, date of
5 birth, ~~social security~~ **Social Security** number, residence address,
6 and a photographic identity document. An applicant may choose to
7 apply for a standard driver license or standard official state



1 personal identification card or an enhanced driver license or
2 enhanced **official** state personal identification card.

3 (2) An enhanced driver license or enhanced official state
4 personal identification card ~~shall~~**must** include reasonable security
5 measures to protect against unauthorized disclosure of personal
6 information regarding residents of this state that is contained in
7 the enhanced driver license or enhanced official state personal
8 identification card.

9 (3) An enhanced driver license or enhanced official state
10 personal identification card may include radio frequency
11 identification technology that is limited to a randomly assigned
12 number ~~, which shall~~**that must** be encrypted if agreed to by the
13 **United States** Department of Homeland Security, and does not include
14 biometric data. The secretary of state shall ensure that the radio
15 frequency identification technology is secure from unauthorized
16 data access and includes reasonable security measures to protect
17 against unauthorized disclosure of personal information. An
18 applicant must sign a declaration acknowledging his or her
19 understanding of the radio frequency identification technology
20 before he or she is issued an enhanced driver license or enhanced
21 official state personal identification card.

22 (4) **An enhanced driver license or enhanced official state**
23 **personal identification card that expires between February 1, 2020**
24 **and May 31, 2020 is considered valid until June 30, 2020.**

25 (5) ~~(4)~~The requirements of this act are in addition to the
26 requirements otherwise imposed on individuals who apply for a
27 standard driver license or standard official state personal
28 identification card.

29 (6) ~~(5)~~The holder of an enhanced driver license issued under



1 this act is subject to every licensing sanction provided under the
2 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. As used
3 in this subsection, "licensing sanction" means the restriction,
4 suspension, revocation, or denial of a driver license; the addition
5 of points to a driving record; until October 1, 2018, the
6 assessment of a driver responsibility fee; the assessment of a
7 civil fine or criminal penalty resulting from a conviction; a civil
8 infraction determination; the imposition of probationary terms and
9 conditions; or any other penalty provided under the Michigan
10 vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

11 Sec. 6. (1) An application for an original enhanced driver
12 license or enhanced official state personal identification card
13 ~~shall~~**must** be accompanied by payment of a fee of not more than
14 \$50.00.

15 (2) The renewal fee for an enhanced driver license or enhanced
16 official state personal identification card renewed under this act
17 ~~shall~~**must** be not more than \$50.00. However, if an enhanced driver
18 license or enhanced official state personal identification card is
19 expired at the time of renewal, the fee ~~shall~~**must** be the same as
20 the fee provided under subsection (1). **If the secretary of state**
21 **receives an application to renew an enhanced driver license or**
22 **enhanced official state personal identification card that expires**
23 **between February 1, 2020 and May 31, 2020 before June 30, 2020, the**
24 **secretary of state shall process the application as a renewal of an**
25 **existing enhanced driver license or enhanced official state**
26 **personal identification card.**

27 (3) Money from fees collected under subsections (1) and (2)
28 ~~shall~~**must** be deposited into the enhanced driver license and
29 enhanced official state personal identification card fund created



1 in section 7 after distribution as follows:

2 (a) The secretary of state shall refund to each county or
3 municipality acting as an examining officer or examining bureau
4 \$2.50 for each applicant examined for an original enhanced driver
5 license, if the application is not denied and the money refunded is
6 paid to the county or local treasurer and is appropriated to the
7 county, municipality, or officer or bureau receiving the money for
8 the purpose of carrying out this act.

9 (b) The state treasurer shall deposit the sum of \$4.00 to the
10 traffic law enforcement and safety fund created in section 819a of
11 the Michigan vehicle code, 1949 PA 300, MCL 257.819a, for each
12 person examined for an original or renewal enhanced driver license.

13 (c) Four dollars and 50 cents of an original enhanced driver
14 license and \$6.00 of a renewal enhanced driver license ~~shall~~**must**
15 be appropriated to the transportation economic development fund
16 established in section 2 of 1987 PA 231, MCL 247.902, and ~~shall~~
17 **must** not be appropriated for any other purpose in any act making
18 appropriations of state funds.

19 (d) The money remaining after distributions are made under
20 subdivisions (a) through (c) ~~shall~~**must** remain in the enhanced
21 driver license and enhanced official state personal identification
22 card fund created under section 7.

23 (4) The secretary of state may assess a fee for issuing a
24 duplicate or corrected enhanced driver license or enhanced official
25 state personal identification card. A fee assessed under this
26 subsection ~~shall~~**must** not exceed the following amounts:

27 (a) Thirty dollars for an enhanced driver license that is an
28 operator's license.

29 (b) Forty dollars for an enhanced driver license that is a



1 chauffeur's license.

2 (c) Thirty dollars for an enhanced official state personal
3 identification card.

4 (5) A fee ~~shall~~**must** not be charged under subsection (4) for a
5 change of address, to correct a departmental error, or to add or
6 remove a heart insignia described in section 310 of the Michigan
7 vehicle code, 1949 PA 300, MCL 257.310.

8 (6) Fees collected under subsection (4) ~~shall~~**must** be
9 deposited to the enhanced driver license and enhanced official
10 state personal identification card fund created under section 7.

11 (7) A fee paid under this section is nonrefundable, except for
12 administrative error.

13 (8) **The secretary of state shall not assess a late renewal fee**
14 **for an enhanced driver license or enhanced official state personal**
15 **identification card that expires between February 1, 2020 and May**
16 **31, 2020 and is renewed before June 30, 2020.**

