

**SUBSTITUTE FOR
SENATE BILL NO. 799**

A bill to amend 2008 PA 23, entitled
"Enhanced driver license and enhanced official state personal
identification card act,"
by amending section 4 (MCL 28.304), as amended by 2021 PA 72.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The secretary of state may issue an enhanced
2 driver license or enhanced official state personal identification
3 card to an applicant who provides satisfactory proof of ~~his or her~~
4 **the applicant's** full legal name, United States citizenship,
5 identity, date of birth, Social Security number, residence address,
6 and a photographic identity document. Beginning June 27, 2021, if
7 the applicant is a program participant in the address
8 confidentiality program under the address confidentiality program

1 act, 2020 PA 301, MCL 780.851 to 780.873, ~~he or she~~ **the applicant**
2 shall present to the secretary of state ~~his or her~~ **the applicant's**
3 participation card issued under the address confidentiality program
4 act, 2020 PA 301, MCL 780.851 to 780.873. An applicant may choose
5 to apply for a standard driver license or standard official state
6 personal identification card or an enhanced driver license or
7 enhanced official state personal identification card.

8 (2) An enhanced driver license or enhanced official state
9 personal identification card must include reasonable security
10 measures to protect against unauthorized disclosure of personal
11 information regarding residents of this state that is contained in
12 the enhanced driver license or enhanced official state personal
13 identification card.

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

27 (4) An enhanced driver license or enhanced official state
28 personal identification card that expires on or after March 1, 2020
29 is considered valid until March 31, 2021. An enhanced driver

1 license or enhanced official state personal identification card
2 that expires after March 31, 2021 but before August 1, 2021 is
3 valid until 120 days after the date of the expiration.

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

8 (6) The holder of an enhanced driver license issued under this
9 act is subject to every licensing sanction provided under the
10 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. As used
11 in this subsection, "licensing sanction" means the restriction,
12 suspension, revocation, or denial of a driver license; the addition
13 of points to a driving record; ~~until October 1, 2018, the~~
14 ~~assessment of a driver responsibility fee;~~ the assessment of a
15 civil fine or criminal penalty resulting from a conviction; a civil
16 infraction determination; the imposition of probationary terms and
17 conditions; or any other penalty provided under the Michigan
18 vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

19 (7) Beginning June 27, 2021, upon receipt of a notice from the
20 department of the attorney general that an individual who has been
21 issued an enhanced driver license or enhanced official state
22 personal identification card under this act has been certified as a
23 program participant in the address confidentiality program, the
24 secretary of state shall issue a corrected enhanced driver license
25 or enhanced official state personal identification card to that
26 individual by mailing the license or card to ~~his or her~~ **the**
27 **individual's** designated address. Beginning June 27, 2021, an
28 enhanced driver license or enhanced official state personal
29 identification card issued under this subsection or subsection (1)

1 to a program participant must display the individual's designated
2 address and must not display the individual's residence address.
3 The requirements of this subsection are in addition to the
4 requirements for individuals who are issued a corrected standard
5 driver license under section 310f of the Michigan vehicle code,
6 1949 PA 300, MCL 257.310f, or a corrected official state personal
7 identification card under section 2a of 1972 PA 222, MCL 28.292a.

8 (8) As used in this section:

9 (a) "Address confidentiality program" means a program as that
10 term is defined in section 3 of the address confidentiality program
11 act, 2020 PA 301, MCL 780.853.

12 (b) "Designated address" means that term as defined in section
13 3 of the address confidentiality program act, 2020 PA 301, MCL
14 780.853.

15 (c) "Program participant" means that term as defined in
16 section 3 of the address confidentiality program act, 2020 PA 301,
17 MCL 780.853.

18 Enacting section 1. This amendatory act takes effect 90 days
19 after the date it is enacted into law.

20 Enacting section 2. This amendatory act does not take effect
21 unless Senate Bill No. 706 of the 102nd Legislature is enacted into
22 law.