

HOUSE BILL No. 5092

December 1, 2015, Introduced by Reps. Talabi, Santana, Garrett, Rutledge, Geiss, Durhal, Banks, Chirkun, Smiley, Brunner, Brinks, Darany, Townsend, LaVoy, Dianda, Derek Miller, Hovey-Wright, Pagan, Byrd, Faris, Plawecki, Yanez, Liberati, Chang, Cochran, Hoadley, Singh, Driskell, McBroom, Aaron Miller, LaFontaine, Yonker, Runestad, Price, Crawford, Franz, Irwin, Rendon, Lucido, Kosowski, Love, Howrylak, Robinson, Clemente, Gay-Dagnogo, Lane, Schor, Moss, Zemke and Guerra and referred to the Committee on Appropriations.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 732b (MCL 257.732b), as added by 2014 PA 283.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 732b. (1) If an individual was assessed a driver
2 responsibility fee under section 732a(2)(c) or (d), the individual
3 may engage in 10 hours of community service as an alternative to
4 paying that fee or any unpaid portion of that fee. Community
5 service under this subsection shall be completed within 45 days
6 after the application to engage in community service is filed with
7 the department of treasury under subsection (3).

8 (2) An individual may engage in community service under
9 subsection (1) by obtaining a community service form from the
10 secretary of state or the department of treasury. The department of
11 treasury shall mail to each individual who is required to pay a

1 driver responsibility fee under section 732a(2)(c) or (d) a 1-time-
2 only written notice of the option of completing community service
3 as an alternative to paying that driver responsibility fee. The
4 notice shall include a statement that community service forms for
5 that purpose can be obtained from the department of state or from
6 the department of treasury. The notice shall be sent to the last
7 known address of the individual as shown in the records of the
8 department of treasury. The secretary of state shall make community
9 service forms available to the public at all branch offices and on
10 the department's website for purposes of this section and shall
11 provide community service forms to the department of treasury for
12 purposes of this section.

13 (3) If an individual chooses to engage in community service
14 under this section, the individual shall complete the community
15 service form obtained under subsection (2) and return the form to
16 the department of treasury in the manner prescribed by the
17 department of treasury. ~~by December 31, 2015.~~ Upon receiving a
18 properly completed community service form under this subsection,
19 the department of treasury shall inform the department of state
20 that the individual intends to complete community service under
21 this section as an alternative to paying a driver responsibility
22 fee or any portion of a driver responsibility fee. If the secretary
23 of state is notified by the department of treasury that the
24 individual has elected to complete community service under this
25 section as an alternative to paying the fee, that fee shall be held
26 in abeyance for a period of 45 days. If the individual's license is
27 suspended for failing to pay the driver responsibility fee or

1 portion of the driver responsibility fee, the department of state
2 shall, upon payment of the reinstatement fee, reinstate the
3 individual's driver license.

4 (4) An individual who engages in community service under this
5 section shall be allowed only 1 opportunity to complete the
6 community service alternative for each driver responsibility fee
7 owed. However, the department of treasury may allow an individual
8 to withdraw from that community service before the expiration of
9 the 45-day period for completing that community service for good
10 cause shown. If the individual is allowed to withdraw from
11 community service for good cause shown, that opportunity for
12 completing community service shall not be considered in the number
13 of opportunities to perform community service under this
14 subsection, but the individual is subject to the suspension of his
15 or her driving privileges under section 732a(5).

16 (5) Upon completing community service under this section, the
17 individual may request the person with whom he or she engaged in
18 community service under this section to verify on the community
19 service form in the manner designated by the secretary of state
20 that he or she successfully completed that community service. Upon
21 verification, the individual may return the community service form
22 to the department of treasury for purposes of this section. Any
23 person who falsely verifies community service under this subsection
24 and any individual who falsely requests the verification of
25 community service under this section or who returns a community
26 service form to the department of treasury under this subsection
27 knowing that his or her community service is falsely verified is

1 responsible for a state civil infraction and may be fined not more
2 than \$200.00.

3 (6) The department of treasury shall waive the driver
4 responsibility fee or any portion of the driver responsibility fee
5 otherwise required to be paid under section 732a(2)(c) or (d) upon
6 receiving verification that the individual successfully completed
7 the community service requirements of this section. The department
8 of treasury shall notify the department of state when it has waived
9 the fee under this section or, if the fee is not waived under this
10 section, that the 45-day period has expired and the fee has not
11 been waived. If the secretary of state is notified by the
12 department of treasury that the fee has not been waived, the
13 department of state shall enter that information into the records
14 of the department and shall suspend the individual's driver license
15 and proceed as provided by law for the individual's failure to pay
16 the driver responsibility fee or to complete community service
17 under this section.

18 (7) As used in this section, "community service" means
19 engaging in a useful and productive activity without compensation
20 for a person other than a family member, including, but not limited
21 to, an entity organized under section 501(c)(3) of the internal
22 revenue code, 26 USC 501, and community service offered through the
23 Michigan ~~community service commission~~. **COMMUNITY SERVICE COMMISSION.**

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