

SENATE BILL NO. 619

October 22, 2025, Introduced by Senators GEISS, ANTHONY, SHINK and CAVANAGH and referred to Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 25, 307, 310, 311, 312, 314, and 901a (MCL 257.25, 257.307, 257.310, 257.311, 257.312, 257.314, and 257.901a), section 25 as amended by 2015 PA 11, section 307 as amended by 2023 PA 260, section 310 as amended by 2021 PA 104, section 311 as amended by 1983 PA 63, section 312 as amended by 2000 PA 456, section 314 as amended by 2021 PA 71, and section 901a as added by 1982 PA 433, and by adding sections 30d, 310a, and 811c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 25. "License" means any driving privileges, **physical**
2 **operator's or chauffeur's** license, **mobile operator's or chauffeur's**
3 **license**, temporary instruction permit, commercial learner's permit,
4 or temporary license issued under the laws of this state pertaining
5 to the licensing of ~~persons~~**individuals** to operate motor vehicles.

6 **Sec. 30d. "Mobile operator's or chauffeur's license" means a**
7 **mobile operator's or chauffeur's license issued under section 310a.**

8 Sec. 307. (1) If an applicant for an operator's license or
9 chauffeur's license to operate a noncommercial motor vehicle is a
10 citizen of the United States, the applicant shall supply a
11 photographic identity document, a birth certificate, or other
12 sufficient documents as the secretary of state may require, to
13 verify the identity and citizenship of the applicant. If an
14 applicant for an operator's or chauffeur's license is not a citizen
15 of the United States, the applicant shall supply a photographic
16 identity document and other sufficient documents to verify the
17 identity of the applicant and the applicant's legal presence in the
18 United States under subdivision (b). The documents required under
19 this subsection must include the applicant's full legal name, date
20 of birth, and address and residency and demonstrate that the
21 applicant is a citizen of the United States or is legally present
22 in the United States. If the applicant's full legal name differs
23 from the name of the applicant that appears on a document presented
24 under this subsection, the applicant shall present documents to
25 verify the applicant's current full legal name. The secretary of
26 state shall accept as 1 of the required identification documents an
27 identification card issued by the department of corrections to
28 prisoners who are placed on parole or released from a correctional
29 facility, containing the prisoner's legal name, photograph, and

1 other information identifying the prisoner as provided in section
2 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237. An
3 application for an operator's or chauffeur's license must be made
4 in a manner prescribed by the secretary of state and must contain
5 all of the following:

6 (a) The applicant's full legal name, date of birth, residence
7 address, height, sex, eye color, signature, intent to make an
8 anatomical gift, other information required or permitted on the
9 license under this chapter, and, only to the extent required to
10 comply with federal law, the applicant's Social Security number.
11 The applicant may provide a mailing address if the applicant
12 receives mail at an address different from the applicant's
13 residence address.

14 (b) If the applicant is not a citizen of the United States,
15 the applicant shall provide, and the department shall verify,
16 documents demonstrating the applicant's legal presence in the
17 United States. Nothing in this act must obligate or be construed to
18 obligate this state to comply with title II of the ~~real~~**REAL** ID ~~act~~
19 **Act** of 2005, Public Law 109-13. The secretary of state may adopt
20 rules under the administrative procedures act of 1969, 1969 PA 306,
21 MCL 24.201 to 24.328, as are necessary for the administration of
22 this subdivision. A determination by the secretary of state that an
23 applicant is not legally present in the United States may be
24 appealed under section 631 of the revised judicature act of 1961,
25 1961 PA 236, MCL 600.631. The secretary of state shall not issue an
26 operator's license or a chauffeur's license to an applicant
27 described in this subdivision for a term that exceeds the duration
28 of the applicant's legal presence in the United States.

29 (c) The following notice must be included to inform the

1 applicant that under sections 509o and 509r of the Michigan
 2 election law, 1954 PA 116, MCL 168.509o and 168.509r, the secretary
 3 of state is required to use the residence address provided on this
 4 application as the applicant's residence address on the qualified
 5 voter file for voter registration and voting:

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

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

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

26 (i) The applicant meets the applicable federal driver
 27 qualification requirements under 49 CFR parts 383 and 391 or meets
 28 the applicable qualifications of the department of state police
 29 under the motor carrier safety act of 1963, 1963 PA 181, MCL 480.11

1 to 480.25.

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

5 (iii) The applicant is not subject to disqualification by the
6 United States Secretary of Transportation, or a suspension,
7 revocation, or cancellation under any state law for conviction of
8 an offense described in section 312f or 319b.

9 (iv) The applicant does not have a ~~driver's~~**driver** license from
10 more than 1 state or jurisdiction.

11 (f) An applicant for an operator's or chauffeur's license with
12 a vehicle group designation and a hazardous material ~~indorsement~~
13 **endorsement** shall provide the applicant's fingerprints as
14 prescribed by state and federal law.

15 (g) Only for voter registration transactions under section
16 493a(6) of the Michigan election law, 1954 PA 116, MCL 168.493a, a
17 space for the applicant to indicate on the application or change of
18 address application whether the applicant is a citizen of the
19 United States.

20 (h) Only for voter registration transactions under section
21 493a(6) of the Michigan election law, 1954 PA 116, MCL 168.493a, a
22 space to allow the applicant to indicate that the applicant
23 declines to use the application as a voter registration
24 application.

25 (i) Beginning June 27, 2021, an applicant for an operator's or
26 chauffeur's license who is a program participant in the address
27 confidentiality program under the address confidentiality program
28 act, 2020 PA 301, MCL 780.851 to 780.873, shall present to the
29 secretary of state the applicant's participation card issued under

1 the address confidentiality program act, 2020 PA 301, MCL 780.851
2 to 780.873.

3 (2) An applicant for an operator's or chauffeur's license may
4 have the applicant's image and signature captured or reproduced
5 when the application for the license is made. The secretary of
6 state shall acquire equipment purchased or leased under this
7 section under standard purchasing procedures of the department of
8 technology, management, and budget based on standards and
9 specifications established by the secretary of state. The secretary
10 of state shall not purchase or lease equipment until an
11 appropriation for the equipment has been made by the legislature. A
12 digital photographic image and signature captured under this
13 section must appear on the applicant's operator's license or
14 chauffeur's license. An individual's digital photographic image and
15 signature ~~shall~~**must** be used as follows:

16 (a) By a federal, state, or local governmental agency for a
17 law enforcement purpose authorized by law.

18 (b) By the secretary of state for a use specifically
19 authorized by law.

20 (c) By the secretary of state for forwarding to the department
21 of state police the images of individuals required to be registered
22 under the sex offenders registration act, 1994 PA 295, MCL 28.721
23 to 28.730, on the department of state police providing the
24 secretary of state an updated list of the names of those
25 individuals.

26 (d) By the secretary of state for forwarding to the department
27 of state police as provided in section 5c of 1927 PA 372, MCL
28 28.425c.

29 (e) By the secretary of state for forwarding to the department

1 of licensing and regulatory affairs the images of applicants for an
2 official state registry identification card issued under section 6
3 of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26426, if
4 the department of licensing and regulatory affairs promulgates
5 rules requiring a photograph as a design element for an official
6 state registry identification card.

7 (f) As necessary to comply with a law of this state or of the
8 United States.

9 (3) An application must contain a signature or verification
10 and certification by the applicant, as determined by the secretary
11 of state, and must be accompanied by the proper fee. The secretary
12 of state shall collect the application fee with the application.
13 The secretary of state shall refund the application fee to the
14 applicant if the license applied for is denied, but shall not
15 refund the fee to an applicant who fails to complete the
16 examination requirements of the secretary of state within 90 days
17 after the date of application for a license.

18 (4) In conjunction with the application for an original or
19 renewal operator's license or chauffeur's license, the secretary of
20 state shall do all of the following:

21 (a) If the applicant is not a participant in the anatomical
22 gift donor registry program, specifically inquire, either orally or
23 in writing, whether the applicant wishes to participate in the
24 anatomical gift donor registry program under part 101 of the public
25 health code, 1978 PA 368, MCL 333.10101 to 333.10123. If the
26 secretary of state or an employee of the secretary of state fails
27 to inquire whether an applicant wishes to participate in the
28 anatomical gift donor registry program as required by this
29 subdivision, neither the secretary of state nor the employee is

1 civilly or criminally liable for the failure to make the inquiry.

2 (b) 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 anatomical gift donor registry
7 program under part 101 of the public health code, 1978 PA 368, MCL
8 333.10101 to 333.10123. The information required under this
9 subparagraph includes the address and telephone number of
10 ~~Michigan's~~ **this state's** federally designated organ procurement
11 organization as that term is defined in section 10102 of the public
12 health code, 1978 PA 368, MCL 333.10102, or its successor
13 organization.

14 (iii) Information giving the applicant the opportunity to be
15 placed on the donor registry described in subparagraph (ii).

16 (c) Provide the applicant with the opportunity to specify on
17 the applicant's operator's or chauffeur's license that the
18 applicant is willing to make an anatomical gift in the event of
19 death in accordance with section 310.

20 (d) Inform the applicant that, if the applicant indicates to
21 the secretary of state under this section a willingness to have the
22 applicant's name placed on the donor registry described in
23 subdivision (b) (ii), the secretary of state will mark the
24 applicant's record for the donor registry.

25 (5) The secretary of state may fulfill the requirements of
26 subsection (4) by 1 or more of the following methods:

27 (a) Providing printed material enclosed with a mailed notice
28 for an operator's or chauffeur's license renewal or the issuance of
29 an operator's or chauffeur's license.

1 (b) Providing printed material to an applicant who personally
2 appears at a secretary of state branch office, or inquiring orally.

3 (c) Through electronic information transmittals for operator's
4 and chauffeur's licenses processed by electronic means.

5 (6) The secretary of state shall maintain a record of an
6 individual who indicates a willingness to have the individual's
7 name placed on the donor registry described in subsection
8 (4) (b) (ii). Information about an applicant's indication of a
9 willingness to have the applicant's name placed on the donor
10 registry that is obtained by the secretary of state under
11 subsection (4) and forwarded under subsection (14) is exempt from
12 disclosure under section 13(1)(d) of the freedom of information
13 act, 1976 PA 442, MCL 15.243. The secretary of state is not
14 required to maintain a record of an individual who does not
15 indicate a willingness to have the individual's name placed on the
16 donor registry described in subsection (4) (b) (ii) or an individual
17 who does not respond to an inquiry under subsection (4) (a).

18 (7) If an application is received from an individual
19 previously licensed in another jurisdiction, the secretary of state
20 shall request a copy of the applicant's driving record and other
21 available information from the National Driver Register. When
22 received, the driving record and other available information become
23 a part of the driver's record in this state.

24 (8) If an individual applies for a commercial learner's permit
25 for an original vehicle group designation or ~~indorsement~~
26 **endorsement** to operate a commercial motor vehicle, the secretary of
27 state may verify the individual's identity, may require proof of
28 Michigan domicile under 49 CFR 383.5, and may verify the
29 individual's proof of United States citizenship or proof of lawful

1 permanent residency as required under 49 CFR 383.71 and 383.73, if
2 that information is not on the individual's Michigan driving
3 record. If an individual applies for a renewal of an operator's or
4 chauffeur's license to operate a commercial motor vehicle, the
5 secretary of state may verify the individual's identity, may
6 require proof of Michigan domicile under 49 CFR 383.5, and may
7 verify the individual's proof of citizenship or lawful permanent
8 residency under 49 CFR 383.71 and 383.73, if that information is
9 not on the individual's Michigan driving record. If an individual
10 applies for an upgrade of a vehicle group designation or
11 ~~indorsement~~, **endorsement**, the secretary of state may verify the
12 individual's identity, may require proof of Michigan domicile under
13 49 CFR 383.5, and may verify the individual's proof of citizenship
14 or lawful permanent residency under 49 CFR 383.71 and 383.73, if
15 that information is not on the individual's Michigan driving
16 record. The secretary of state shall request the individual's
17 complete driving record from all states where the applicant was
18 previously licensed to drive any type of motor vehicle over the
19 last 10 years before issuing a vehicle group designation or
20 ~~indorsement~~ **endorsement** to the applicant. If the applicant does not
21 hold a valid commercial motor vehicle driver license from a state
22 where the applicant was licensed in the last 10 years, this
23 complete driving record request must be made not earlier than 24
24 hours before the secretary of state issues the applicant a vehicle
25 group designation or ~~indorsement~~. **endorsement**. For all other
26 drivers, this request must be made not earlier than 10 days before
27 the secretary of state issues the applicant a vehicle group
28 designation or ~~indorsement~~. **endorsement**. If the application is for
29 the renewal of a vehicle group designation or ~~indorsement~~,

1 **endorsement**, and if the secretary of state enters on the
2 individual's driving record maintained under section 204a a
3 notation that the request was made and the date of the request, the
4 secretary of state is required to request the applicant's complete
5 driving record from other states only once under this section. The
6 secretary of state shall also check the applicant's driving record
7 with the National Driver Register and the ~~federal~~ Commercial
8 Driver's License Information System before issuing that group
9 designation or ~~indorsement~~. **endorsement**.

10 (9) The secretary of state may issue a renewal operator's or
11 chauffeur's license **or renewal mobile operator's or chauffeur's**
12 **license** for 1 additional 4-year period or beginning on July 1,
13 2021, for 2 additional 4-year periods, or until the individual is
14 no longer determined to be legally present under this section by
15 mail or by other methods prescribed by the secretary of state. The
16 secretary of state may check the applicant's driving record through
17 the National Driver Register and the Commercial Driver's License
18 Information System before issuing a license under this section. The
19 secretary of state shall issue a renewal license only in person if
20 the individual is an individual required under section 5a of the
21 sex offenders registration act, 1994 PA 295, MCL 28.725a, to
22 maintain a valid operator's or chauffeur's license or official
23 state personal identification card. If a license is renewed by mail
24 or by other method, the secretary of state shall issue evidence of
25 renewal to indicate the date the license expires in the future. The
26 department of state police shall provide to the secretary of state
27 updated lists of individuals required under section 5a of the sex
28 offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a
29 valid operator's or chauffeur's license or official state personal

1 identification card.

2 (10) ~~Upon~~**On** request, the secretary of state shall provide an
3 information manual to an applicant explaining how to obtain a
4 vehicle group designation or ~~indorsement~~**endorsement**. The manual
5 must contain the information required under 49 CFR part 383.

6 (11) The secretary of state shall not disclose a Social
7 Security number obtained under subsection (1) to another person
8 except for use for 1 or more of the following purposes:

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

11 (b) To carry out the purposes of section 466(a) of the social
12 security act, 42 USC 666, in connection with matters relating to
13 paternity, child support, or overdue child support.

14 (c) To check an applicant's driving record through the
15 National Driver Register and the Commercial Driver's License
16 Information System when issuing a license under this act.

17 (d) With the department of health and human services, for
18 comparison with vital records maintained by the department of
19 health and human services under part 28 of the public health code,
20 1978 PA 368, MCL 333.2801 to 333.2899.

21 (e) As otherwise required by law.

22 (12) The secretary of state shall not display an individual's
23 Social Security number on the individual's operator's or
24 chauffeur's license.

25 (13) A requirement under this section to include a Social
26 Security number on an application does not apply to an applicant
27 who demonstrates that the applicant is exempt under law from
28 obtaining a Social Security number.

29 (14) As required in section 10120 of the public health code,

1 1978 PA 368, MCL 333.10120, the secretary of state shall maintain
2 the donor registry in a manner that provides electronic access,
3 including, but not limited to, the transfer of data to this state's
4 federally designated organ procurement organization or its
5 successor organization, tissue banks, and eye banks, in a manner
6 that complies with that section.

7 (15) The secretary of state, with the approval of the state
8 administrative board created under 1921 PA 2, MCL 17.1 to 17.3, may
9 enter into agreements with the United States government to verify
10 whether an applicant for an operator's license or a chauffeur's
11 license under this section who is not a citizen of the United
12 States is authorized under federal law to be present in the United
13 States.

14 (16) The secretary of state shall not issue an operator's
15 license or a chauffeur's license to an individual holding an
16 operator's license or chauffeur's license issued by another state
17 without confirmation that the individual is terminating or has
18 terminated the operator's license or chauffeur's license issued by
19 the other state.

20 (17) The secretary of state shall do all of the following:

21 (a) Ensure the physical security of locations where operator's
22 licenses and chauffeur's licenses are produced and the security of
23 document materials and papers from which operator's licenses and
24 chauffeur's licenses are produced.

25 (b) Subject all persons authorized to manufacture or produce
26 operator's licenses or chauffeur's licenses and all persons who
27 have the ability to affect the identity information that appears on
28 operator's licenses or chauffeur's licenses to appropriate security
29 clearance requirements. The security requirements of this

1 subdivision and subdivision (a) may require that licenses be
2 manufactured or produced in this state.

3 (c) Provide fraudulent document recognition programs to
4 department of state employees engaged in the issuance of operator's
5 licenses and chauffeur's licenses.

6 (18) The secretary of state shall have electronic access to
7 prisoner information maintained by the department of corrections
8 for the purpose of verifying the identity of a prisoner who applies
9 for an operator's or chauffeur's license under subsection (1).

10 (19) Subject to this subsection, any printed notice provided
11 to an applicant at the conclusion of a transaction conducted under
12 this section must, if the individual's information will be used for
13 voter registration or voter preregistration under section 493a(2)
14 to (5) of the Michigan election law, 1954 PA 116, MCL 168.493a,
15 include a notice of that use and that the individual will receive a
16 notice mailed under section 493a(2) to (5) of the Michigan election
17 law, 1954 PA 116, MCL 168.493a. If the individual's information has
18 been used for voter registration or preregistration under section
19 493a(6) of the Michigan election law, 1954 PA 116, MCL 168.493a,
20 the printed notice provided to the applicant must include a notice
21 of that voter registration and the printed notice serves as a
22 receipt verifying the voter registration application.

23 Sec. 310. (1) The secretary of state shall issue an operator's
24 license to each person licensed as an operator and a chauffeur's
25 license to each person licensed as a chauffeur. An applicant for a
26 motorcycle ~~indorsement~~**endorsement** under section 312a or a vehicle
27 group designation or ~~indorsement~~**endorsement** shall first qualify
28 for an operator's or chauffeur's license before the ~~indorsement~~
29 **endorsement** or vehicle group designation application is accepted

1 and processed. ~~An~~ **Except for a mobile operator's or chauffeur's**
2 **license, an** original license or the first renewal of an existing
3 license issued to a person **who is** less than 21 years of age must be
4 portrait or vertical in form and a license issued to a person 21
5 years of age or ~~ever~~ **older** must be landscape or horizontal in form.

6 (2) The license issued under subsection (1) must contain all
7 of the following:

8 (a) The distinguishing number permanently assigned to the
9 licensee.

10 (b) Except as provided in section 310f, the full legal name,
11 date of birth, address of residence, height, eye color, sex,
12 digital photographic image, expiration date, and signature of the
13 licensee.

14 (c) ~~In~~ **Except as otherwise provided in this subdivision, in**
15 the case of a licensee who has indicated ~~his or her~~ **the licensee's**
16 wish to participate in the anatomical gift donor registry under
17 part 101 of the public health code, 1978 PA 368, MCL 333.10101 to
18 333.10123, a heart insignia on the front of the **physical operator's**
19 **or chauffeur's license or the enhanced driver license. A mobile**
20 **operator's or chauffeur's license or a mobile enhanced driver**
21 **license may contain a heart insignia, code, text-based indicator,**
22 **or other indicator approved by the secretary of state to indicate**
23 **that the licensee wishes to participate in the anatomical gift**
24 **donor registry under part 101 of the public health code, 1978 PA**
25 **368, MCL 333.10101 to 333.10123.**

26 (d) ~~Physical security~~ **Security** features designed to prevent
27 tampering, counterfeiting, or duplication of the license for
28 fraudulent purposes.

29 (e) If requested by an individual who is a veteran of the

1 armed forces of this state, another state, or the United States, a
2 designation that the individual is a veteran. The designation must
3 be in a style and format considered appropriate by the secretary of
4 state. The secretary of state shall require proof of discharge or
5 separation of service from the armed forces of this state, another
6 state, or the United States, and the nature of that discharge, for
7 the purposes of verifying an individual's status as a veteran under
8 this subdivision. The secretary of state shall consult with the
9 department of military and veterans affairs in determining the
10 proof that must be required to identify an individual's status as a
11 veteran for the purposes of this subsection. The secretary of state
12 may provide the department of military and veterans affairs and
13 agencies of the counties of this state that provide veteran
14 services with information provided by an applicant under this
15 subsection for the purpose of veterans' benefits eligibility
16 referral.

17 (3) Except as otherwise required under this chapter, other
18 information required on the license under this chapter may appear
19 on the license in a form prescribed by the secretary of state.

20 (4) The license must not contain a fingerprint or finger image
21 of the licensee.

22 (5) A ~~digitized~~ license may contain an identifier for voter
23 registration purposes. ~~The digitized license may contain~~
24 ~~information appearing in electronic or machine readable codes~~
25 ~~needed to conduct a transaction with the secretary of state. The~~
26 ~~information must be limited to the information described in~~
27 ~~subsection (2) (a) and (b) except for the person's digital~~
28 ~~photographic image and signature, state of issuance, license~~
29 ~~expiration date, and other information necessary for use with~~

1 ~~electronic devices, machine readers, or automatic teller machines~~
2 ~~and must not contain the driving record or other personal~~
3 ~~identifier. The license must identify the encoded information.~~

4 (6) The license must be manufactured in a manner to prohibit
5 as nearly as possible the ability to reproduce, alter, counterfeit,
6 forge, or duplicate the license without ready detection. In
7 addition, a license with a vehicle group designation must contain
8 the information required under 49 CFR part 383.

9 (7) Except as provided in subsection (11), a person who
10 intentionally reproduces, alters, counterfeits, forges, or
11 duplicates a license photograph, the negative of the photograph,
12 image, license, or electronic data contained on a license or a part
13 of a license or who uses a license, image, or photograph that has
14 been reproduced, altered, counterfeited, forged, or duplicated is
15 subject to 1 of the following:

16 (a) If the intent of the reproduction, alteration,
17 counterfeiting, forging, duplication, or use is to commit or aid in
18 the commission of an offense that is a felony punishable by
19 imprisonment for 10 or more years, the person committing the
20 reproduction, alteration, counterfeiting, forging, duplication, or
21 use is guilty of a felony ~~—~~punishable by imprisonment for not more
22 than 10 years, ~~or~~ a fine of not more than \$20,000.00, or both.

23 (b) If the intent of the reproduction, alteration,
24 counterfeiting, forging, duplication, or use is to commit or aid in
25 the commission of an offense that is a felony punishable by
26 imprisonment for less than 10 years or a misdemeanor punishable by
27 imprisonment for 6 months or more, the person committing the
28 reproduction, alteration, counterfeiting, forging, duplication, or
29 use is guilty of a felony ~~—~~punishable by imprisonment for not more

1 than 5 years, ~~or~~ a fine of not more than \$10,000.00, or both.

2 (c) If the intent of the reproduction, alteration,
3 counterfeiting, forging, duplication, or use is to commit or aid in
4 the commission of an offense that is a misdemeanor punishable by
5 imprisonment for less than 6 months, the person committing the
6 reproduction, alteration, counterfeiting, forging, duplication, or
7 use is guilty of a misdemeanor punishable by imprisonment for not
8 more than 1 year, ~~or~~ a fine of not more than \$2,000.00, or both.

9 (8) Except as provided in subsections (11) and (16), a person
10 who sells, or who possesses with the intent to deliver to another,
11 a reproduced, altered, counterfeited, forged, or duplicated license
12 photograph, negative of the photograph, image, license, or
13 electronic data contained on a license or part of a license is
14 guilty of a felony punishable by imprisonment for not more than 5
15 years, ~~or~~ a fine of not more than \$10,000.00, or both.

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

23 (10) Except as provided in subsection (16), a person who is in
24 possession of a reproduced, altered, counterfeited, forged, or
25 duplicated license photograph, negative of the photograph, image,
26 license, or electronic data contained on a license or part of a
27 license is guilty of a misdemeanor punishable by imprisonment for
28 not more than 1 year, ~~or~~ a fine of not more than \$2,000.00, or
29 both.

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

4 (12) The secretary of state, ~~upon-on~~ determining after an
 5 examination that an applicant is mentally and physically qualified
 6 to receive a license, may issue the applicant a temporary driver's
 7 permit. The temporary driver's permit entitles the applicant, while
 8 having the permit in ~~his or her~~ **the applicant's** immediate
 9 possession, to operate a motor vehicle ~~upon-on~~ the highway for a
 10 period not exceeding 60 days before the secretary of state has
 11 issued the applicant an operator's or chauffeur's license. The
 12 secretary of state may establish a longer duration for the validity
 13 of a temporary driver's permit if necessary to accommodate the
 14 process of obtaining a background check that is required for an
 15 applicant by federal law.

16 (13) An operator or chauffeur may indicate on the license in a
 17 place designated by the secretary of state ~~his or her~~ **the**
 18 **operator's or chauffeur's** blood type, emergency contact
 19 information, immunization data, medication data, or a statement
 20 that the licensee is deaf. **A mobile operator's or chauffeur's**
 21 **license may include a text-based indicator, code, or other**
 22 **indicator approved by the secretary of state to indicate that the**
 23 **licensee is deaf.** The secretary of state shall not require an
 24 applicant for an original or renewal operator's or chauffeur's
 25 license to provide emergency contact information as a condition of
 26 obtaining a license. However, the secretary of state may inquire
 27 whether an operator or chauffeur would like to provide emergency
 28 contact information and, beginning July 1, 2021, shall allow an
 29 operator or chauffeur that meets the requirements of subsection

1 (21) to elect a communication impediment designation. Emergency
2 contact information obtained under this subsection must be
3 disclosed only to a state or federal law enforcement agency for law
4 enforcement purposes or to the extent necessary for a medical
5 emergency. The secretary of state shall develop and shall, in
6 conjunction with the department of state police, implement a
7 process using the L.E.I.N. or any other appropriate system that
8 limits access to law enforcement that would allow law enforcement
9 agencies of this state to access emergency contact information and,
10 beginning July 1, 2021, to view a communication impediment
11 designation that the holder of an operator's license has
12 voluntarily provided to the secretary of state.

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

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

23 (16) Subsections (8), (9), and (10) do not apply to a person
24 who is in possession of 1 or more photocopies, reproductions, or
25 duplications of a license to document the identity of the licensee
26 for a legitimate business purpose.

27 (17) A sticker or decal may be provided by any person,
28 hospital, school, medical group, or association interested in
29 assisting in implementing an emergency medical information card,

1 but must meet the specifications of the secretary of state. An
2 emergency medical information card may contain information
3 concerning the licensee's patient advocate designation, other
4 emergency medical information, or an indication as to where the
5 licensee has stored or registered emergency medical information.

6 (18) The secretary of state shall inquire of each licensee, in
7 person or by mail, whether the licensee agrees to participate in
8 the anatomical gift donor registry under part 101 of the public
9 health code, 1978 PA 368, MCL 333.10101 to 333.10123.

10 (19) A licensee who has agreed to participate in the
11 anatomical gift donor registry under part 101 of the public health
12 code, 1978 PA 368, MCL 333.10101 to 333.10123, must not be
13 considered to have revoked that agreement solely because the
14 licensee's license has been revoked or suspended or has expired.
15 Enrollment in the donor registry constitutes a legal agreement that
16 remains binding and in effect after the donor's death regardless of
17 the expressed desires of the deceased donor's next of kin who may
18 oppose the donor's anatomical gift.

19 (20) If an operator's or chauffeur's license is issued to an
20 individual described in section 307(1)(b) who has temporary lawful
21 status, the license must be issued in compliance with 6 CFR 37.21
22 or in compliance with the process established to comply with 6 CFR
23 37.71 by the secretary of state.

24 (21) An operator or chauffeur seeking an election for a
25 communication impediment designation under subsection (13) shall
26 provide to the secretary of state a certification that meets all of
27 the following:

28 (a) Is signed by a physician, physician assistant, certified
29 nurse practitioner, audiologist, speech-language pathologist,

1 psychologist, or physical therapist licensed to practice in this
2 state.

3 (b) Identifies the individual for whom the communication
4 impediment designation is being elected.

5 (c) Attests to the nature of the communication impediment.

6 (22) A person who intentionally makes a false statement of
7 material fact or commits or attempts to commit a deception or fraud
8 on a statement described under subsection (21) is guilty of a
9 misdemeanor punishable by imprisonment for not more than 30 days,
10 ~~or~~ a fine of not more than \$500.00, or both.

11 (23) Subject to subsection (24), the secretary of state may
12 cancel or revoke a communication impediment designation elected and
13 maintained under this section if either of the following
14 circumstances applies:

15 (a) The secretary of state determines that a communication
16 impediment designation was fraudulently or erroneously elected.

17 (b) The secretary of state determines the communication
18 impediment designation was abused during a traffic stop.

19 (24) The secretary of state shall provide the operator or
20 chauffeur notice and an opportunity to be heard before canceling or
21 revoking a communication impediment designation under subsection
22 (23).

23 (25) As used in this section:

24 (a) "Communication impediment" means the operator or chauffeur
25 has a health condition that may impede communication with a police
26 officer during a traffic stop, including, but not limited to, any
27 of the following:

28 (i) Deafness or hearing loss.

29 (ii) An autism spectrum disorder.

1 (b) "Emergency contact information" means the name, telephone
2 number, or address of an individual that is used for the sole
3 purpose of contacting that individual when the holder of an
4 operator's license has been involved in an emergency.

5 (c) "Temporary lawful status" means that term as defined in 6
6 CFR 37.3.

7 (d) "Veteran" means that term as defined in section 1 of 1965
8 PA 190, MCL 35.61.

9 **Sec. 310a. (1) After the secretary of state develops or enters**
10 **into a contract to develop the mobile license system under**
11 **subsection (3), on request of an individual issued a physical**
12 **operator's license or chauffeur's license under section 307(1), the**
13 **secretary of state may issue a mobile operator's or chauffeur's**
14 **license to the individual. The secretary of state shall ensure that**
15 **any data elements in the mobile operator's or chauffeur's license**
16 **match the data elements contained in the records of the department.**
17 **The secretary of state shall not issue or renew a mobile operator's**
18 **or chauffeur's license to an individual who does not hold a valid**
19 **physical operator's license or chauffeur's license. The secretary**
20 **of state may provision an individual's mobile operator's or**
21 **chauffeur's license onto multiple electronic devices through the**
22 **mobile license system developed under this section. An individual**
23 **issued a mobile operator's or chauffeur's license under this**
24 **subsection is required to have the physical operator's or**
25 **chauffeur's license in the individual's immediate possession while**
26 **operating a motor vehicle.**

27 (2) A requirement under this act to surrender, destroy, or
28 confiscate a license does not apply to the electronic device on
29 which a mobile operator's or chauffeur's license, or a mobile

1 enhanced driver license, is provisioned. Notwithstanding this
2 subsection and on request of a relying party, an individual may
3 authorize the transmission of the requested data elements contained
4 in the individual's mobile operator's or chauffeur's license, or a
5 mobile enhanced driver license, from the electronic device on which
6 a mobile license described under this subsection is provisioned.

7 (3) Not later than 18 months after the effective date of the
8 amendatory act that added this section, the secretary of state
9 shall develop or enter into a contract with a vendor to develop a
10 mobile license system. The mobile license system developed under
11 this subsection must be a digitized system that meets all of the
12 following requirements:

13 (a) Is designed to comply with the American Association of
14 Motor Vehicle Administrators' mobile driver license implementation
15 guidelines.

16 (b) Is designed to not require a holder of a mobile operator's
17 or chauffeur's license or a mobile enhanced driver license to
18 relinquish possession of the electronic device on which the mobile
19 operator's or chauffeur's license, or a mobile enhanced driver
20 license, is provisioned to a relying party for the acceptance of
21 the mobile operator's or chauffeur's license.

22 (c) Includes all of the following:

23 (i) A method for provisioning a mobile operator's or
24 chauffeur's license, mobile official state personal identification
25 card, mobile enhanced driver license, or mobile enhanced official
26 state personal identification card to the electronic device of an
27 individual that protects the data being transmitted and prevents
28 interception and access during the provisioning process by any
29 party other than the secretary of state or the individual. The data

1 elements must be provisioned to the electronic device of an
2 individual to permit the presentation or use of the mobile
3 operator's or chauffeur's license, a mobile official state personal
4 identification card, a mobile enhanced driver license, or mobile
5 enhanced official state personal identification card while the
6 electronic device is offline. The data elements must be encrypted
7 and stored securely on the device of the individual issued a mobile
8 operator's or chauffeur's license, a mobile official state personal
9 identification card, a mobile enhanced driver license, or a mobile
10 enhanced official state personal identification card to ensure the
11 release of the data elements is solely controlled by that
12 individual.

13 (ii) A method to validate, process, and verify requests from
14 relying parties.

15 (iii) Cryptographic authentication, interoperability, and system
16 updates.

17 (iv) A method to perform tasks to maintain and update the
18 system.

19 (d) Protects the privacy of the holder of a mobile operator's
20 or chauffeur's license, a mobile official state personal
21 identification card, a mobile enhanced driver license, or a mobile
22 enhanced official state personal identification card through the
23 following features:

24 (i) Data minimization features that allow the individual to
25 review all the data elements being requested by a relying party
26 before the release of any of those data elements.

27 (ii) Transmission protections preventing the interception and
28 access of any data elements by any party other than the relying
29 party or the individual involved in the transaction.

1 (iii) Any other data minimization and privacy-enhancing features
2 or capabilities.

3 (iv) A method for manually deleting locally stored transaction
4 history.

5 (4) The secretary of state may promulgate rules that are
6 necessary for the management and administration of the mobile
7 license system.

8 (5) The secretary of state shall do both of the following:

9 (a) Regularly update an individual's information contained in
10 a mobile operator's or chauffeur's license.

11 (b) Set the validity period of a mobile operator's or
12 chauffeur's license.

13 (6) As used in this section:

14 (a) "Cryptographic" means a method of storing or transmitting
15 data in a format such that only the intended recipient can access,
16 read, or process the data.

17 (b) "Data elements" means a distinct component of an
18 individual's information that is found on the records of the
19 department.

20 (c) "Mobile enhanced driver license" means a mobile enhanced
21 driver license issued under section 4 of the enhanced driver
22 license and enhanced official state personal identification card
23 act, 2008 PA 23, MCL 28.304.

24 (d) "Mobile enhanced official state personal identification
25 card" means a mobile enhanced official state personal
26 identification card issued under section 4 of the enhanced driver
27 license and enhanced official state personal identification card
28 act, 2008 PA 23, MCL 28.304.

29 (e) "Mobile official state personal identification card" means

1 a mobile official state personal identification card issued under
2 section 2 of 1972 PA 222, MCL 28.292.

3 (f) "Provision" means the loading of a mobile operator's or
4 chauffeur's license, mobile enhanced driver license, mobile
5 enhanced official state personal identification card, or mobile
6 official state personal identification card onto an individual's
7 electronic device.

8 (g) "Relying party" means that term as defined in section 3 of
9 the relying parties on mobile licenses act.

10 (h) "Validity period" means the duration of time that data
11 transmitted to an electronic device remains valid, as determined by
12 the secretary of state.

13 Sec. 311. The licensee shall have ~~his or her~~ **the licensee's**
14 **physical** operator's or chauffeur's license, or the receipt
15 described in section 311a, in ~~his or her~~ **the licensee's** immediate
16 possession at all times when operating a motor vehicle, and **on**
17 **demand of a police officer who identifies himself as a police**
18 **officer**, shall display ~~the same upon demand of any police officer,~~
19 ~~who shall identify himself or herself as such.~~ **either a physical**
20 **operator's or chauffeur's license or, if the police officer is a**
21 **relying party, a mobile operator's or chauffeur's license.**

22 Sec. 312. (1) ~~Upon~~ **On** proper showing of extenuating
23 circumstances and special reasons, or need by an applicant who
24 meets the age qualifications and when accompanied by the fee as
25 provided in this act, the secretary of state may recommend a
26 restricted operator's or chauffeur's license containing conditions
27 and restrictions applicable to the licensee, the type of special
28 mechanical control devices required in a motor vehicle operated by
29 the licensee, and the area, time, or other condition that the

1 secretary of state considers necessary to assure the safe operation
 2 of a vehicle by the licensee and under which the licensee may
 3 operate a motor vehicle. A license issued to ~~a person~~ **an individual**
 4 who is at least 14 years of age and under 16 years of age ~~shall~~
 5 **must** contain only the conditions determining the hours during which
 6 the licensee may drive a motor vehicle and the purpose for which it
 7 is to be driven. A license issued to a minor who is at least 14
 8 years of age and under 16 years of age ~~shall~~ **must** be revoked by the
 9 secretary of state on the written request of a parent, guardian, or
 10 person standing in loco parentis.

11 (2) An operator's license **or a mobile operator's or**
 12 **chauffeur's license** issued to ~~a person~~ **an individual** who is at
 13 least 14 years of age and under 16 years of age expires on the
 14 birthday following issuance of the license or if that birthday is
 15 within 6 months after the date of issuance of the license, then 1
 16 year after the date of that birthday.

17 (3) ~~Upon~~ **On** receiving satisfactory evidence of a violation of
 18 the restrictions of the license, the secretary of state may suspend
 19 or revoke the license.

20 (4) ~~A person~~ **An individual** who violates a restriction imposed
 21 in a restricted license issued to that ~~person~~ **individual** is guilty
 22 of a misdemeanor. This subsection does not apply to ~~a person~~ **an**
 23 **individual** who is at least 14 years of age and under 16 years of
 24 age.

25 (5) If a motor vehicle is being driven by ~~a person~~ **an**
 26 **individual** who is at least 14 years of age and under 16 years of
 27 age, and that ~~person~~ **individual** is accompanied by a parent,
 28 guardian, or person standing in loco parentis, the conditions,
 29 limitations, and restrictions set forth in this section do not

1 apply.

2 Sec. 314. (1) Except as otherwise provided in this section, an
3 operator's license, ~~and a chauffeur's license, a mobile operator's~~
4 **license, and a mobile chauffeur's license** expire on the birthday of
5 the individual to whom the license is issued in the fourth year
6 following the date of the issuance of the license or on the date
7 the individual is no longer considered to be legally present in the
8 United States under section 307, whichever is earlier, unless
9 suspended or revoked before that date. A license must not be issued
10 for a period longer than 4 years. An individual holding a license
11 at any time 12 months before the expiration of ~~his or her the~~
12 **individual's** license may apply for a new license as provided for in
13 this chapter. A knowledge test for an original group designation or
14 ~~indorsement~~ **endorsement** may be taken at any time during this period
15 and the results are valid for 12 months. A license renewed under
16 this subsection must be renewed for the time remaining on the
17 license before its renewal combined with the 4-year renewal period.

18 (2) The first operator's license **or mobile operator's license**
19 issued to an individual who at the time of application is less than
20 20-1/2 years of age expires on the licensee's twenty-first birthday
21 or on the date the individual is no longer considered to be legally
22 present in the United States under section 307, whichever is
23 earlier, unless suspended or revoked.

24 (3) The first chauffeur's license **or mobile chauffeur's**
25 **license** issued to an individual expires on the licensee's birthday
26 in the fourth year following the date of issuance or on the date
27 the individual is no longer considered to be legally present in the
28 United States under section 307, whichever is earlier, unless the
29 license is suspended or revoked before that date. The chauffeur's

1 license **or mobile chauffeur's license** of an individual who at the
 2 time of application is less than 20-1/2 years of age expires on the
 3 licensee's twenty-first birthday or on the date the individual is
 4 no longer considered to be legally present in the United States
 5 under section 307, whichever is earlier, unless suspended or
 6 revoked. A subsequent chauffeur's license **or mobile chauffeur's**
 7 **license** expires on the birthday of the individual to whom the
 8 license is issued in the fourth year following the date of issuance
 9 of the license or on the date the individual is no longer
 10 considered to be legally present in the United States under section
 11 307, whichever is earlier, unless the license is suspended or
 12 revoked before that date.

13 (4) An individual may apply for an extension of ~~his or her~~ **the**
 14 **individual's** driving privileges if ~~he or she~~ **the individual** is out
 15 of state on the date that ~~his or her~~ **the individual's** operator's or
 16 chauffeur's license **or mobile operator's or chauffeur's license**
 17 expires. The extension may extend the license for 180 days beyond
 18 the expiration date or not more than 2 weeks after the applicant
 19 returns to ~~Michigan,~~ **this state**, whichever occurs first. This
 20 subsection does not apply to an individual who fails to meet the
 21 requirements of 49 CFR parts 383 and 391 with regard to medical
 22 certification documentation requirements.

23 (5) The secretary of state may issue a renewal operator's or
 24 chauffeur's license **or mobile operator's or chauffeur's license** to
 25 an individual who will be out of state for more than 180 days
 26 beyond the expiration date of ~~his or her~~ **the individual's**
 27 operator's or chauffeur's license **or mobile operator's or**
 28 **chauffeur's license**, if the secretary of state has a digital image
 29 of the individual on file. The applicant for this renewal shall

1 submit a statement evidencing a vision examination in accordance
 2 with the rules promulgated by the secretary of state under section
 3 309 and any other statement required by this act or federal law. An
 4 individual is not eligible for consecutive renewals of a license
 5 under this subsection. This subsection does not apply to an
 6 individual who fails to meet the requirements of 49 CFR parts 383
 7 and 391 with regard to medical certification documentation
 8 requirements, or an individual with a hazardous material
 9 endorsement on ~~his or her operator's or chauffeur's~~ **the**
 10 **individual's** license.

11 (6) The secretary of state may check the applicant's driving
 12 record through the National Driver Register and the Commercial
 13 Driver's License Information System before issuing a renewal under
 14 this section.

15 ~~(7) Notwithstanding the provisions of this section, an~~
 16 ~~operator's or chauffeur's license that expires on or after March 1,~~
 17 ~~2020 is valid until March 31, 2021. Notwithstanding the provisions~~
 18 ~~of this section, an operator's or chauffeur's license that expires~~
 19 ~~after March 31, 2021 but before August 1, 2021 is valid until 120~~
 20 ~~days after the date of the expiration.~~

21 **Sec. 811c. (1) The fee for an original or renewal mobile**
 22 **operator's or chauffeur's license must not be more than \$4.00. The**
 23 **secretary of state shall deposit the money received and collected**
 24 **under this subsection in the fund created under subsection (2).**

25 **(2) The mobile license fund is created within the state**
 26 **treasury. The state treasurer may receive money or other assets**
 27 **from any source for deposit into the fund. The state treasurer**
 28 **shall direct the investment of the fund. The state treasurer shall**
 29 **credit to the fund interest and earnings from fund investments.**

1 Money in the fund at the close of the fiscal year must remain in
 2 the fund and must not lapse to the general fund. The secretary of
 3 state is the administrator of the fund for auditing purposes. The
 4 secretary of state shall expend money from the fund, on
 5 appropriation, to cover necessary administrative and implementation
 6 costs incurred in providing mobile operator's or chauffeur's
 7 licenses, mobile official state personal identification cards, or
 8 mobile enhanced driver licenses or mobile enhanced official state
 9 personal identification cards.

10 Sec. 901a. If ~~a person~~**an individual** has received a citation
 11 for a violation of section 311, the court shall waive any fine and
 12 costs, ~~upon~~**on** receipt of certification by a law enforcement agency
 13 that the ~~person~~**individual**, before the appearance date on the
 14 citation, has produced ~~his or her~~**the individual's physical**
 15 operator's or chauffeur's license and that the license was valid on
 16 the date the violation of section 311 occurred.

17 Enacting section 1. This amendatory act does not take effect
 18 unless all of the following bills of the 103rd Legislature are
 19 enacted into law:

- 20 (a) Senate Bill No. ____ (request no. S04150'25) or House Bill
 21 No. ____ (request no. H04150'25).
- 22 (b) Senate Bill No. ____ (request no. S04151'25) or House Bill
 23 No. ____ (request no. H04151'25).
- 24 (c) Senate Bill No. 620.