

**ENHANCED DRIVER LICENSE AND ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION
CARD ACT (EXCERPT)**
Act 23 of 2008

28.306 Fees; late renewal fee exceptions; adequate in-person services.

Sec. 6.

(1) An application for an original enhanced driver license or enhanced official state personal identification card must be accompanied by payment of a fee of not more than \$50.00.

(2) The renewal fee for an enhanced driver license or enhanced official state personal identification card renewed under this act must be not more than \$50.00. Subject to subsection (9), if an enhanced driver license or enhanced official state personal identification card is expired at the time of renewal, the fee must be the same as the fee provided under subsection (1). If the secretary of state receives an application to renew an enhanced driver license or enhanced official state personal identification card that expires on or after March 1, 2020 before March 31, 2021, the secretary of state shall process the application as a renewal of an existing enhanced driver license or enhanced official state personal identification card. If the secretary of state receives an application to renew an enhanced driver license or enhanced official state personal identification card that expires after March 31, 2021 but before August 1, 2021, the secretary of state shall process the application as a renewal of an existing enhanced driver license or enhanced official state personal identification card until 120 days after the date of the expiration.

(3) Money from fees collected under subsections (1) and (2) must be deposited into the enhanced driver license and enhanced official state personal identification card fund created in section 7 after distribution as follows:

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

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

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

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

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

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

(b) Forty dollars for an enhanced driver license that is a chauffeur's license.

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

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

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

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

(8) Subject to subsection (9), the secretary of state shall not assess a late renewal fee for an enhanced driver license or enhanced official state personal identification card that expires on or after March 1, 2020 and is renewed before March 31, 2021. Subject to subsection (9), both of the following apply:

(a) The secretary of state shall not assess a late renewal fee for an enhanced driver license or enhanced official state personal identification card that expires after March 31, 2021 but before August 1, 2021 and is renewed within 120 days after the date of the expiration.

(b) The secretary of state shall, upon an applicant's request, reimburse a late renewal fee assessed and collected for an enhanced driver license or enhanced official state personal identification card that expires after March 31, 2021 but before August 1, 2021 and is renewed within 120 days after the date of the expiration of the enhanced driver license or enhanced official state personal identification card.

(9) Notwithstanding any other provision of this act, if on the effective date of this amendatory act, the secretary of state does not provide adequate in-person services, the secretary of state shall not assess a late renewal fee under this act until the secretary of state resumes providing adequate in-person services. As used in this subsection,

"adequate in-person services" means providing in-person service options, without the requirement of an advance appointment, on each day and at each location a secretary of state branch office is open for services in this state. The in-person services provided must allow for same-day transactions to be completed.

History: 2008, Act 23, Imd. Eff. Mar. 13, 2008 ;-- Am. 2009, Act 211, Imd. Eff. Jan. 4, 2010 ;-- Am. 2020, Act 129, Imd. Eff. July 1, 2020 ;-- Am. 2020, Act 243, Imd. Eff. Oct. 28, 2020 ;-- Am. 2020, Act 374, Imd. Eff. Jan. 4, 2021 ;-- Am. 2021, Act 72, Imd. Eff. July 29, 2021

Compiler's Notes: Former MCL 28.301 to 28.317, deriving from Act 114 of 1939 and pertaining to kerosene inspection, were repealed by Act 47 of 1952. Enacting section 1 of Act 72 of 2021 provides: "Enacting section 1. Sections 4(4) and 6(2) and (8) of the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.304 and 28.306, as amended by this amendatory act, are intended to be retroactive and apply retroactively."