

Act No. 305  
Public Acts of 2020  
Approved by the Governor  
December 29, 2020  
Filed with the Secretary of State  
December 29, 2020  
EFFECTIVE DATE: December 29, 2020

**STATE OF MICHIGAN  
100TH LEGISLATURE  
REGULAR SESSION OF 2020**

Introduced by Senators Geiss, Johnson, Hollier, Irwin, Wojno, Theis, Polehanki, McMorrow,  
Moss, Bayer and Daley

## **ENROLLED SENATE BILL No. 74**

AN ACT to amend 2008 PA 23, entitled "An act to authorize the secretary of state to issue enhanced driver licenses and state personal identification cards to United States citizens who reside in Michigan to facilitate travel between the United States and Canada; to establish certain funds and prescribe duties for certain officials; and to prohibit certain conduct and prescribe penalties," by amending section 4 (MCL 28.304), as amended by 2020 PA 243.

*The People of the State of Michigan enact:*

Sec. 4. (1) The secretary of state may issue an enhanced driver license or enhanced official state personal identification card to an applicant who provides satisfactory proof of his or her full legal name, United States citizenship, identity, date of birth, Social Security number, residence address, and a photographic identity document. Beginning 180 days after the effective date of the amendatory act that added this sentence, if the applicant is a program participant in the address confidentiality program under the address confidentiality program act, he or she shall present to the secretary of state his or her participation card issued under the address confidentiality program act. An applicant may choose to apply for a standard driver license or standard official state personal identification card or an enhanced driver license or enhanced official state personal identification card.

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

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

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

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

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

(7) Beginning 180 days after the effective date of the amendatory act that added this subsection, upon receipt of a notice from the department of the attorney general that an individual who has been issued an enhanced driver license or enhanced official state personal identification card under this act has been certified as a program participant in the address confidentiality program, the secretary of state shall issue a corrected enhanced driver license or enhanced official state personal identification card to that individual by mailing the license or card to his or her designated address. Beginning 180 days after the effective date of the amendatory act that added this subsection, an enhanced driver license or enhanced official state personal identification card issued under this subsection or subsection (1) to a program participant must display the individual's designated address and must not display the individual's residence address. The requirements of this subsection are in addition to the requirements for individuals who are issued a corrected standard driver license under section 310f of the Michigan vehicle code, 1949 PA 300, MCL 257.310f, or a corrected official state personal identification card under section 2a of 1972 PA 222, MCL 28.292a.

(8) As used in this section:

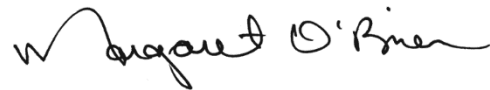
(a) "Address confidentiality program" means a program as that term is defined in section 3 of the address confidentiality program act.

(b) "Designated address" means that term as defined in section 3 of the address confidentiality program act.

(c) "Program participant" means that term as defined in section 3 of the address confidentiality program act.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 70 of the 100th Legislature is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved \_\_\_\_\_

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Governor

**Compiler's note:** Senate Bill No. 70, referred to in enacting section 1, was filed with the Secretary of State December 29, 2020, and became 2020 PA 301, Imd. Eff. Dec. 29, 2020.