

SENATE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR
SENATE BILL NO. 74

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 2020 PA 243.

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 full legal name, United States citizenship, identity, date of
5 birth, Social Security number, residence address, and a
6 photographic identity document. **Beginning 180 days after the**
7 **effective date of the amendatory act that added this sentence, if**
8 **the applicant is a program participant in the address**

1 **confidentiality program under the address confidentiality program**
2 **act, he or she shall present to the secretary of state his or her**
3 **participation card issued under the address confidentiality program**
4 **act.** An applicant may choose to apply for a standard driver license
5 or standard official state personal identification card or an
6 enhanced driver license or enhanced official state personal
7 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 understanding of the
24 radio frequency identification technology before he or she is
25 issued an enhanced driver license or enhanced official state
26 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 ~~December 11, 2020.~~ **March 31, 2021.**

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

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

16 **(7) Beginning 180 days after the effective date of the**
17 **amendatory act that added this subsection, upon receipt of a notice**
18 **from the department of the attorney general that an individual who**
19 **has been issued an enhanced driver license or enhanced official**
20 **state personal identification card under this act has been**
21 **certified as a program participant in the address confidentiality**
22 **program, the secretary of state shall issue a corrected enhanced**
23 **driver license or enhanced official state personal identification**
24 **card to that individual by mailing the license or card to his or**
25 **her designated address. Beginning 180 days after the effective date**
26 **of the amendatory act that added this subsection, an enhanced**
27 **driver license or enhanced official state personal identification**
28 **card issued under this subsection or subsection (1) to a program**
29 **participant must display the individual's designated address and**

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

7 (8) As used in this section:

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

11 (b) "Designated address" means that term as defined in section
12 3 of the address confidentiality program act.

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

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