

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. **If the applicant is a program**
7 **participant in the address confidentiality program under the**
8 **address confidentiality program act, he or she shall present to the**

1 **secretary of state his or her participation card issued under the**
2 **address confidentiality program act.** An applicant may choose to
3 apply for a standard driver license or standard official state
4 personal identification card or an enhanced driver license or
5 enhanced official state personal identification card.

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

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

25 (4) An enhanced driver license or enhanced official state
26 personal identification card that expires on or after March 1, 2020
27 is considered valid until December 11, 2020.

28 (5) The requirements of this act are in addition to the
29 requirements otherwise imposed on individuals who apply for a

1 standard driver license or standard official state personal
2 identification card.

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

14 (7) **Upon receipt of a notice from the department of the**
15 **attorney general that an individual who has been issued an enhanced**
16 **driver license or enhanced official state personal identification**
17 **card under this act has been certified as a program participant in**
18 **the address confidentiality program, the secretary of state shall**
19 **issue a corrected enhanced driver license or enhanced official**
20 **state personal identification card to that individual by mailing**
21 **the license or card to his or her designated address. An enhanced**
22 **driver license or enhanced official state personal identification**
23 **card issued under this subsection or subsection (1) to a program**
24 **participant must display the individual's designated address and**
25 **must not display the individual's residence address. The**
26 **requirements of this subsection are in addition to the requirements**
27 **for individuals who are issued a corrected standard driver license**
28 **under section 310f of the Michigan vehicle code, 1949 PA 300, MCL**
29 **257.310f, or a corrected official state personal identification**

1 card under section 2a of 1972 PA 222, MCL 28.292a.

2 (8) As used in this section:

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

6 (b) "Designated address" means that term as defined in section
7 3 of the address confidentiality program act.

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

10 Enacting section 1. This amendatory act takes effect 180 days
11 after the date it is enacted into law.

12 Enacting section 2. This amendatory act does not take effect
13 unless Senate Bill No. 70 of the 100th Legislature is enacted into
14 law.