



HOUSE BILL No. 4541

March 7, 1995, Introduced by Reps. Ciaramitaro and Dolan and referred to the Committee on Transportation.

A bill to amend section 2 of Act No. 222 of the Public Acts of 1972, entitled as amended

"An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations,"

as amended by Act No. 125 of the Public Acts of 1989, being section 28.292 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 222 of the Public Acts of
2 1972, as amended by Act No. 125 of the Public Acts of 1989, being
3 section 28.292 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 2. (1) ~~The~~ AN official state personal identification
6 card shall contain an identification number permanently assigned
7 to the person and the name, date of birth, sex, residential

1 address, height, weight, eye color, ~~an imprinted photograph~~
2 IMAGE, and ~~the~~ signature of the person to whom the identifica-
3 tion card is issued. ~~and~~ THE IDENTIFICATION CARD SHALL NOT CON-
4 TAIN A FINGERPRINT OR FINGER IMAGE OF THE APPLICANT. THE SECRE-
5 TARY OF STATE shall ~~be in a~~ PRESCRIBE THE form ~~prescribed by~~
6 ~~the secretary of state~~ OF THE IDENTIFICATION CARD. BEGINNING
7 JANUARY 1, 1997, THE SECRETARY OF STATE MAY RETAIN AND USE ANY OF
8 THE INFORMATION DESCRIBED IN THIS SUBSECTION ONLY FOR PROGRAMS
9 ADMINISTERED BY THE SECRETARY OF STATE. THE SECRETARY OF STATE
10 SHALL NOT USE A PERSON'S IMAGE OR SIGNATURE FOR A PURPOSE NOT
11 DESCRIBED IN THIS SUBSECTION UNLESS SPECIFIC ENABLING LEGISLATION
12 PERMITTING THE USE IS ENACTED INTO LAW AND PERMISSION TO USE THE
13 IMAGE OR SIGNATURE IS GRANTED BY THE APPLICANT. A LAW ENFORCE-
14 MENT AGENCY OF THIS STATE SHALL HAVE ACCESS TO ANY INFORMATION
15 RETAINED BY THE SECRETARY OF STATE PURSUANT TO THIS SUBSECTION.
16 THE INFORMATION MAY BE UTILIZED FOR ANY LAW ENFORCEMENT PURPOSE
17 OTHERWISE PERMITTED BY LAW.

18 (2) IF A PERSON PRESENTS EVIDENCE OF STATUTORY BLINDNESS AS
19 PROVIDED IN ACT NO. 260 OF THE PUBLIC ACTS OF 1978, BEING SEC-
20 TIONS 393.351 TO 393.368 OF THE MICHIGAN COMPILED LAWS, AND IS
21 ISSUED OR IS THE HOLDER OF AN OFFICIAL STATE PERSONAL IDENTIFICA-
22 TION CARD, THE SECRETARY OF STATE SHALL MARK THE PERSON'S IDENTI-
23 FICATION CARD IN A MANNER THAT CLEARLY INDICATES THAT THE CARD-
24 HOLDER IS LEGALLY BLIND.

25 (3) IF THE SECRETARY OF STATE ISSUES AN OFFICIAL STATE PER-
26 SONAL IDENTIFICATION CARD TO A PERSON WHO AT THE TIME OF
27 APPLICATION IS 20-1/2 YEARS OF AGE OR LESS, THE SECRETARY OF

1 STATE SHALL MARK THE PERSON'S IDENTIFICATION CARD IN A MANNER
2 THAT CLEARLY INDICATES THAT THE CARDHOLDER IS LESS THAN 21 YEARS
3 OF AGE.

4 (4) AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD MAY CON-
5 TAIN AN IDENTIFIER FOR VOTER REGISTRATION PURPOSES. BEGINNING
6 JANUARY 1, 1997, AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD
7 MAY CONTAIN INFORMATION APPEARING IN ELECTRONIC OR MACHINE READ-
8 ABLE CODES NEEDED TO CONDUCT A TRANSACTION WITH THE SECRETARY OF
9 STATE. THE INFORMATION SHALL BE LIMITED TO THE PERSON'S IDENTI-
10 FICATION CARD NUMBER, BIRTH DATE, EXPIRATION DATE, AND OTHER
11 INFORMATION NECESSARY FOR USE WITH ELECTRONIC DEVICES, MACHINE
12 READERS, OR AUTOMATIC TELLER MACHINES AND SHALL NOT CONTAIN THE
13 PERSON'S ADDRESS.

14 (5) An official state personal identification card shall be
15 issued only upon authorization of the secretary of state, and
16 shall be manufactured in a manner to prohibit as nearly as possi-
17 ble the ability to reproduce, alter, counterfeit, forge, or
18 duplicate the identification card without ready detection.

19 (6) ~~An~~ THE SECRETARY OF STATE SHALL NOT ISSUE AN official
20 state personal identification card ~~shall not be issued~~ to a
21 person who holds an operator's or chauffeur's license issued pur-
22 suant to the Michigan vehicle code, Act No. 300 of the Public
23 Acts of 1949, being sections 257.1 to 257.923 of the Michigan
24 Compiled Laws, unless the license has been suspended, revoked, or
25 restricted.

26 (7) ~~A~~ EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, AN
27 APPLICANT SHALL PAY A fee of \$6.00 ~~shall be paid~~ to the

1 secretary of state ~~by the applicant~~ for each original or
2 ~~replacement~~ RENEWAL identification card issued. ~~If an identi-~~
3 ~~fication card issued under this act is lost, destroyed, or muti-~~
4 ~~lated, or becomes illegible, the person to whom the identifica-~~
5 ~~tion card was issued may obtain a replacement identification~~
6 ~~card. Except as provided in subsection (7), an~~ THE DEPARTMENT
7 OF TREASURY SHALL DEPOSIT THE FEES RECEIVED AND COLLECTED UNDER
8 THIS SECTION IN THE STATE TREASURY TO THE CREDIT OF THE GENERAL
9 FUND. THE LEGISLATURE SHALL APPROPRIATE THE FEES CREDITED TO THE
10 GENERAL FUND UNDER THIS ACT TO THE SECRETARY OF STATE FOR THE
11 ADMINISTRATION OF THIS ACT.

12 (8) AN ORIGINAL OR RENEWAL official state personal identifi-
13 cation card shall expire on the birthday of the person to whom it
14 is issued in the fourth year following the date of issuance.
15 ~~and~~ THE SECRETARY OF STATE shall not ~~be issued~~ ISSUE AN OFFI-
16 CIAL STATE PERSONAL IDENTIFICATION CARD UNDER THIS ACT for a
17 period greater than 4 years. ~~An official state personal identi-~~
18 ~~fication card may be renewed within 45 days before the expiration~~
19 ~~of the card upon application and payment of a \$6.00 fee.~~
20 ~~However, the secretary of state, for good cause shown, may accept~~
21 ~~an application and fee for renewal up to 6 months before the~~
22 ~~expiration of the card.~~ A PERSON MAY APPLY FOR A RENEWAL OF AN
23 OFFICIAL STATE PERSONAL IDENTIFICATION CARD BY MAIL OR BY OTHER
24 METHODS PRESCRIBED BY THE SECRETARY OF STATE.

25 (9) THE SECRETARY OF STATE SHALL WAIVE THE fee under this
26 section ~~is not required~~ if the applicant is a person 65 years
27 of age or older, is a person who has had his or her operator's or

1 chauffeur's license suspended, revoked, or denied under Act
2 No. 300 of the Public Acts of 1949 because of a mental or physi-
3 cal infirmity or disability, or is a person who presents evidence
4 of STATUTORY blindness as provided in Act No. 260 of the Public
5 Acts of 1978. ~~, being sections 393.351 to 393.368 of the~~
6 ~~Michigan Compiled Laws. The fees received and collected under~~
7 ~~this act shall be deposited by the secretary of state in the~~
8 ~~state treasury to the credit of the general fund. The legisla-~~
9 ~~ture shall appropriate money for the administration of this act.~~

10 ~~(2) If the person identified by an official state personal~~
11 ~~identification card presents evidence of blindness as provided in~~
12 ~~Act No. 260 of the Public Acts of 1978, the secretary of state~~
13 ~~shall mark the person's card in a manner which clearly indicates~~
14 ~~that the cardholder is legally blind.~~

15 (10) ~~(3)~~ A person who has been issued an official state
16 personal identification card shall apply for a ~~new~~ RENEWAL
17 official state personal identification card if the person changes
18 his or her name. ~~A fee of \$6.00 shall be paid to the secretary~~
19 ~~of state by the applicant for an identification card under this~~
20 ~~subsection.~~

21 (11) ~~(4)~~ A person who has been issued an official state
22 personal identification card shall apply for a corrected identi-
23 fication card if he or she changes his or her residential
24 address. The secretary of state ~~shall~~ MAY correct the address
25 on an identification card by ~~affixing a label containing the~~
26 ~~correct address on the back of the card~~ A METHOD PRESCRIBED BY

1 THE SECRETARY OF STATE. A fee shall not be charged for a change
2 of residential address.

3 (12) ~~(5)~~ Except as OTHERWISE provided ~~under~~ IN subsec-
4 tions ~~(3)~~ (10) and ~~(4)~~ (11), a person who has been issued an
5 official state personal identification card may apply for a ~~new~~
6 RENEWAL official state personal identification card for ~~the pur-~~
7 ~~pose of changing~~ 1 OR MORE OF THE FOLLOWING REASONS:

8 (A) THE PERSON WANTS TO CHANGE any information on the
9 IDENTIFICATION card. ~~A fee of \$6.00 shall be paid to the secre-~~
10 ~~tary of state by the applicant for an identification card under~~
11 ~~this subsection.~~

12 (B) AN IDENTIFICATION CARD ISSUED UNDER THIS ACT IS LOST,
13 DESTROYED, MUTILATED, OR BECOMES ILLEGIBLE.

14 (13) ~~(6)~~ The secretary of state shall establish and main-
15 tain a computerized central file of the information contained on
16 application forms received under this act. The computerized cen-
17 tral file shall be interfaced with the law enforcement informa-
18 tion network as provided in the L.E.I.N. policy council act of
19 1974, Act No. 163 of the Public Acts of 1974, being sections
20 28.211 to 28.216 of the Michigan Compiled Laws.

21 ~~(7) An official state personal identification card issued~~
22 ~~before October 1, 1985 shall expire on the cardholder's birthday~~
23 ~~in 1987.~~

24 ~~(8) The secretary of state, when issuing an official state~~
25 ~~personal identification card to a person who at the time of~~
26 ~~application is less than 20 1/2 years of age, shall code the card~~

1 ~~in a manner which clearly identifies the cardholder as being less~~
2 ~~than 21 years of age.~~

3 Section 2. This amendatory act shall take effect January 1,
4 1996.