
Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 319 (as discharged)
Sponsor: Senator Michael J. O'Brien
Committee: Transportation and Tourism

CONTENT

The bill would amend the Michigan Vehicle Code to limit the examination, inspection, or sale of motor vehicle records, confidential personal information, and personal information by the Secretary of State or any officer, employee, agent, or contractor, by doing the following:

- Requiring the disclosure of "personal information" to carry out specific Federal laws relating to motor vehicles. ("Personal information" would mean information that identified an individual, including his or her driver identification number, name, address not including zip code, and telephone number, but would not include information on vehicular accidents, driving or equipment-related violations, or driver's license or registration status.)
- Requiring the Secretary of State to disclose, under certain circumstances, a record's personal information to various Federal, State, or local governmental agencies and specific private persons or entities.
- Permitting the disclosure of personal information to a person upon proof of identity for bulk distribution for surveys, marketing, or solicitations and for any other use in response to requests for individual motor vehicle records. The Secretary of State would have to provide notice on forms for certain documents, including driver licenses, that the information could be disclosed upon request, and give an opportunity for a person to permit the disclosure.
- Permitting the resale or redisclosure of certain information for various purposes, including the bulk distribution of surveys, marketing, or solicitations.
- Requiring an authorized recipient who resold or redisclosed the personal information to maintain the records for at least five years.
- Establishing felony penalties for making a false representation to obtain personal information or using the information for nonpermitted purposes.
- Providing that a person could bring a civil action against someone who knowingly obtained, disclosed, or used personal information for purposes not permitted, and that a court could award actual damages but at least \$2,500 plus court costs and reasonable attorney fees.

MCL 257.208 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

In FY 1995-96, the Department of State generated \$27.1 million from the service charge collected for record information. Of that amount, approximately \$1 million comes from bulk data sold to direct mail marketers and data processing firms.

Date Completed: 7-2-97

Fiscal Analyst: B. Bowerman

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