

HOUSE BILL No. 4031

January 8, 1997, Introduced by Reps. Brewer and Martinez and referred to the Committee on Transportation.

A bill to amend 1972 PA 222, entitled

"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,"

by amending section 2 (MCL 28.292), as amended by 1996 PA 204.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) The official state personal identification card
2 shall contain ALL OF the following:

3 (a) An identification number permanently assigned to the
4 person.

5 (b) The full name, date of birth, sex, residential address,
6 height, weight, eye color, image, and signature of the person to
7 whom the identification card is issued.

8 (c) An indication that the identification card contains 1 or
9 more of the following:

- 1 (i) The blood type of the person.
- 2 (ii) Immunization data of the person.
- 3 (iii) Medication data of the person.
- 4 (iv) A statement that the person is deaf.
- 5 ~~(v) A statement that the person has made an anatomical~~
6 ~~gift.~~
- 7 (v) ~~(vi)~~ Emergency contact information of the person.
- 8 (D) IF THE PERSON HAS EXPRESSED ON HIS OR HER OFFICIAL STATE
9 PERSONAL IDENTIFICATION CARD APPLICATION AN INTENT TO DONATE
10 ORGANS AND TISSUE IN THE EVENT OF DEATH, AN INDICATION ON THE
11 FACE OF THE CARD THAT THE PERSON IS AN ORGAN AND TISSUE DONOR.
- 12 (2) BEFORE OR AT THE TIME A PERSON APPLIES FOR AN OFFICIAL
13 STATE PERSONAL IDENTIFICATION CARD, THE SECRETARY OF STATE SHALL
14 DO ALL OF THE FOLLOWING:
- 15 (A) PROVIDE THE APPLICANT WITH A WRITTEN EXPLANATION OF THE
16 APPLICANT'S RIGHT TO MAKE AN ANATOMICAL GIFT IN THE EVENT OF
17 DEATH PURSUANT TO PART 101 OF THE PUBLIC HEALTH CODE, 1978 PA
18 368, MCL 333.10101 TO 333.10109, AND IN ACCORDANCE WITH THIS
19 SECTION.
- 20 (B) REQUIRE AN APPLICANT 18 YEARS OF AGE OR OLDER TO SPECIFY
21 ON HIS OR HER APPLICATION FOR AN OFFICIAL STATE PERSONAL IDENTI-
22 FICATION CARD WHETHER HE OR SHE WISHES TO MAKE AN ANATOMICAL GIFT
23 IN THE EVENT OF DEATH PURSUANT TO PART 101 OF THE PUBLIC HEALTH
24 CODE, 1978 PA 368, MCL 333.10101 TO 333.10109, AND IN ACCORDANCE
25 WITH THIS SECTION.
- 26 (3) AT THE TIME AN OFFICIAL STATE PERSONAL IDENTIFICATION
27 CARD IS ISSUED TO A PERSON UNDER THIS ACT, THE SECRETARY OF STATE

1 SHALL PROVIDE THAT PERSON WITH A STICKER THAT THE PERSON MAY
2 ATTACH TO THE REVERSE SIDE OF THE ISSUED CARD, AND UPON WHICH
3 THAT PERSON MAY DESIGNATE A DONATION OR GIFT OF SPECIFIC ORGANS
4 AND TISSUE, OR THE DONATION OF HIS OR HER ENTIRE BODY, PURSUANT
5 TO PART 101 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.10101
6 TO 333.10109.

7 (4) A TERM ON A STICKER THAT IS INCONSISTENT WITH A TERM ON
8 THE FACE OF THE CARD ISSUED TO THAT PERSON UNDER THIS ACT SUPER-
9 SEDES THE INCONSISTENT TERM APPEARING ON THE FACE OF THAT CARD.

10 (5) ~~-(2)-~~ The secretary of state shall prescribe the form of
11 the identification card. Except as otherwise required in this
12 chapter, other information required on the identification card
13 pursuant to this act may appear on the identification card in a
14 form prescribed by the secretary of state.

15 (6) ~~-(3)-~~ The identification card shall not contain a fin-
16 gerprint or finger image of the applicant.

17 (7) ~~-(4)-~~ The secretary of state may retain and use a
18 person's image described in subsection (1)(b) only for programs
19 administered by the secretary of state. Except as provided in
20 this subsection, the secretary of state shall not use a person's
21 image unless written permission for that purpose is granted by
22 the person to the secretary of state or specific enabling legis-
23 lation permitting the use is enacted into law. A law enforcement
24 agency of this state ~~shall have~~ HAS access to any information
25 retained by the secretary of state under this subsection. The
26 information may be utilized for any law enforcement purpose
27 unless otherwise prohibited by law.

1 (8) ~~-(5)-~~ If a person presents evidence of statutory
2 blindness as provided in ~~Act No. 260 of the Public Acts of 1978,~~
3 ~~being sections 393.351 to 393.368 of the Michigan Compiled Laws~~
4 1978 PA 260, MCL 393.351 TO 393.368, and is issued or is the
5 holder of an official state personal identification card, the
6 secretary of state shall mark the person's identification card in
7 a manner that clearly indicates that the cardholder is legally
8 blind.

9 (9) ~~-(6)-~~ If the secretary of state issues an official state
10 personal identification card to a person who at the time of
11 application is 20-1/2 years of age or less, the secretary of
12 state shall mark the person's identification card in a manner
13 that clearly indicates that the cardholder is less than 21 years
14 of age.

15 (10) ~~-(7)-~~ An official state personal identification card
16 may contain an identifier for voter registration purposes. An
17 official state personal identification card may contain informa-
18 tion appearing in electronic or machine readable codes needed to
19 conduct a transaction with the secretary of state. The informa-
20 tion shall be limited to the person's identification card number,
21 birth date, expiration date, and other information necessary for
22 use with electronic devices, machine readers, or automatic teller
23 machines and shall not contain the person's name, address, driv-
24 ing record, or other personal identifier. The identification
25 card shall identify the encoded information.

26 (11) ~~-(8)-~~ An official state personal identification card
27 shall be issued only upon authorization of the secretary of

1 state, and shall be manufactured in a manner to prohibit as
2 nearly as possible the ability to reproduce, alter, counterfeit,
3 forge, or duplicate the identification card without ready
4 detection.

5 (12) ~~(9)~~ The secretary of state shall not issue an offi-
6 cial state personal identification card to a person who holds an
7 operator's or chauffeur's license issued pursuant to the Michigan
8 vehicle code, ~~Act No. 300 of the Public Acts of 1949, being sec-~~
9 ~~tions 257.1 to 257.923 of the Michigan Compiled Laws~~ 1949 PA
10 300, MCL 257.1 TO 257.923, unless the license has been suspended,
11 revoked, or restricted.

12 (13) ~~(10)~~ Except as otherwise provided in this act, an
13 applicant shall pay a fee of \$6.00 to the secretary of state for
14 each original or renewal identification card issued. Until
15 January 1, 2002, a service fee of \$1.00 shall be added to each
16 fee collected for an original or renewal identification card.
17 The department of treasury shall deposit the fees received and
18 collected under this section in the state treasury to the credit
19 of the general fund. The legislature shall appropriate the fees
20 credited to the general fund under this act to the secretary of
21 state for the administration of this act. Appropriations from
22 the Michigan transportation fund shall not be used to compensate
23 the secretary of state for costs incurred and services performed
24 under this section.

25 (14) ~~(11)~~ An original or renewal official state personal
26 identification card ~~shall expire~~ EXPIRES on the birthday of the
27 person to whom it is issued in the fourth year following the date

1 of issuance. The secretary of state shall not issue an official
2 state personal identification card under this act for a period
3 greater than 4 years. A person may apply for a renewal of an
4 official state personal identification card by mail or by other
5 methods prescribed by the secretary of state.

6 (15) ~~(12)~~ The secretary of state shall waive the fee under
7 this section if the applicant is a person 65 years of age or
8 older, is a person who has had his or her operator's or
9 chauffeur's license suspended, revoked, or denied under ~~Act~~
10 ~~No. 300 of the Public Acts of 1949~~ THE MICHIGAN VEHICLE CODE,
11 1949 PA 300, MCL 257.1 TO 257.923, because of a mental or physi-
12 cal infirmity or disability, or is a person who presents evidence
13 of statutory blindness as provided in ~~Act No. 260 of the Public~~
14 ~~Acts of 1978~~ 1978 PA 260, MCL 393.351 TO 393.368.

15 (16) ~~(13)~~ A person who has been issued an official state
16 personal identification card shall apply for a renewal official
17 state personal identification card if the person changes his or
18 her name.

19 (17) ~~(14)~~ A person who has been issued an official state
20 personal identification card shall apply for a corrected identi-
21 fication card if he or she changes his or her residential
22 address. The secretary of state may correct the address on an
23 identification card by a method prescribed by the secretary of
24 state. A fee shall not be charged for a change of residential
25 address.

26 (18) ~~(15)~~ Except as otherwise provided in subsections
27 ~~(13) and (14)~~ (16) AND (17), a person who has been issued an

1 official state personal identification card may apply for a
2 renewal official state personal identification card for 1 or more
3 of the following reasons:

4 (a) The person wants to change any information on the iden-
5 tification card.

6 (b) An identification card issued under this act is lost,
7 destroyed, mutilated, or becomes illegible.

8 (19) ~~(16)~~ The secretary of state shall establish and main-
9 tain a computerized central file of the information contained on
10 application forms received under this act. The computerized cen-
11 tral file shall be interfaced with the law enforcement informa-
12 tion network as provided in the L.E.I.N. policy council act of
13 1974, ~~Act No. 163 of the Public Acts of 1974, being sections~~
14 ~~28.211 to 28.216 of the Michigan Compiled Laws~~ 1974 PA 163, MCL
15 28.211 TO 28.216.

16 (20) ~~(17)~~ A person may indicate on an official state per-
17 sonal identification card in a place designated by the secretary
18 of state his or her blood type, emergency contact information,
19 immunization data, medication data, OR a statement that the
20 person is deaf. ~~, or a statement that the person has made an~~
21 ~~anatomical gift pursuant to part 101 of the public health code,~~
22 ~~Act No. 368 of the Public Acts of 1978, being sections 333.10101~~
23 ~~to 333.10109 of the Michigan Compiled Laws.~~

24 (21) ~~(18)~~ If an applicant provides proof to the secretary
25 of state that he or she is a minor who has been emancipated pur-
26 suant to ~~Act No. 293 of the Public Acts of 1968, being sections~~
27 ~~722.1 to 722.6 of the Michigan Compiled Laws~~ 1968 PA 293, MCL

1 722.1 TO 722.6, the official state personal identification card
2 shall bear the designation of the individual's emancipated status
3 in a manner prescribed by the secretary of state.

4 Enacting section 1. This amendatory act does not take
5 effect unless all of the following bills of the 89th Legislature
6 are enacted into law:

7 (a) Senate Bill No. _____ or House Bill No. _____
8 (request no. 00739'97).

9 (b) Senate Bill No. _____ or House Bill No. _____
10 (request no. 00739'97 a).