

Legislative Analysis



DRIVER LICENSE SUSPENSION FOR SERVING ALCOHOL TO A MINOR

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House Bills 5198 & 5199 (Substitutes H-1)

Sponsor: Rep. Harold Haugh

Committee: Transportation

Complete to 4-28-10

A SUMMARY OF HOUSE BILLS 5198 & 5199 AS REPORTED FROM COMMITTEE

The bills would allow the suspension of the driver license of an individual convicted of selling or furnishing alcohol to a minor. (A minor in this case is a person under 21 years of age). This would apply only to a person who was not a retail licensee or a retail licensee's clerk, agent, or employee.

House Bill 5199 would amend the Michigan Vehicle Code (MCL 257.319) to allow the court to order the Secretary of State to suspend an individual's driver license for 180 days for a violation of Section 701(1) of the Michigan Liquor Control Code involving the selling or furnishing of alcohol to a minor (in this case, a person under 21 years of age).

House Bill 5198 would make a complementary amendment to the Michigan Liquor Control Code (MCL 436.1701) also to allow the driver license suspension for a conviction for this offense. Under the Code, the offense is typically a misdemeanor both for licensed retailers (and their agents or employees) and for private individuals. (The offense can be a felony if consumption of liquor by a minor leads to the minor's death.)

The two bills are tie-barred to one another, meaning neither can take effect unless both are enacted.

FISCAL IMPACT:

House Bills 5198 and 5199 would have a positive fiscal impact on state government. The provisions of the bill would allow the Secretary of State to suspend an individual's driver license for 180 days for selling or furnishing alcohol to a minor. When a license is suspended, the driver must pay a \$125 driver license reinstatement fee. The standard reinstatement fee is distributed as follows: Secretary of State (\$50.00); Michigan Department of Transportation Economic Development Fund (\$35.00); Drunk Driving Prevention Equipment and Training Fund (\$10.00); and Drunk Driving Case Flow Assistance Fund (\$30.00). The extent of the fiscal impact would depend on the number of violations under the provision of the bills.

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