

# Legislative Analysis

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## DRIVER LICENSE SUSPENSION FOR SERVING ALCOHOL TO A MINOR

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**House Bills 5198 & 5199 as enrolled  
Public Acts 266 and 267 of 2010  
Sponsor: Rep. Harold Haugh  
House Committee: Transportation  
Senate Committee: Economic Development and Regulatory Reform**

**Complete to 1-27-11**

### A SUMMARY OF HOUSE BILLS 5198 & 5199 AS ENROLLED

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

House Bill 5199 amended 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 second or subsequent 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). The bill allows a restricted license to be issued during all or part of a suspension.

House Bill 5198 made 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.)

### 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 a second or subsequent offense of 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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