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Senate Bill 278 (as introduced 4-23-19)
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Sponsor: Senator Tom Barrett (S.B. 278)
Senator Curtis Hertel, Jr. (S.B. 279)
Committee: Transportation and Infrastructure

Date Completed: 5-20-19

CONTENT

Senate Bill 278 would amend the Michigan Vehicle Code to allow an applicant who was applying for a vehicle registration or for a renewal of a vehicle registration, or an applicant for an original or renewal operator's or chauffeur's license, to elect a communication impediment designation.

Senate Bill 279 would amend the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to require the Secretary of State (SOS) to allow an applicant for an enhanced driver license to elect a communication impediment designation.

Senate Bill 279 is tie-barred to Senate Bill 278.

Senate Bill 278

Vehicle Registration

The Code requires the SOS to create and maintain a computerized central file of all applications for registration of motor vehicles and is not required to retain any other record of the application. The computerized central file must be interfaced with the Law Enforcement Information Network (LEIN).

The bill would require the Secretary of State to allow the owner of a motor vehicle who was applying for a vehicle registration or for renewal of a vehicle registration to elect a communication impediment designation on the application maintained in the central file or in another appropriate system that limited access to law enforcement that would allow law enforcement agencies of the State to view a communication impediment designation with a registration.

"Communication impediment" would mean the owner of a motor vehicle has one or more of the following health conditions that may impede communication with a police officer during a traffic stop:

- Deafness or hearing loss.
- An autism disorder.

The Secretary of State must preserve the records described above for three years after the date of registration. The records must be available to State and Federal agencies and the Friend of the Court, as well as to the public through the SOS's commercial look-up service. The bill would specify that a communication impediment designation would not have to be available to the public through the SOS commercial look-up service.

Operator and Chauffeur's License

Under the Code, the SOS must issue an operator's license to each person licensed as an operator and a chauffeur's license to each person licensed as a chauffeur. The SOS may not require an applicant for an original or renewal operator's or chauffeur's license to provide emergency contact information as a condition to obtain a license; however, the SOS may inquire whether an operator or chauffeur would like to provide emergency contact information. The bill would allow an operator or chauffeur to elect a communication impediment designation, as well.

The Code also requires the SOS to develop and implement in conjunction with the Department of State Police, a process using LEIN or another appropriate system that limits access to law enforcement that would allow law enforcement agencies of the State to access emergency contact information that the licensee has provided to the SOS. Under the bill, the process would have to allow law enforcement agencies to view a communication impediment designation.

Senate Bill 279

The Act authorizes the SOS to issue an enhanced driver license or enhanced official State personal identification card to an applicant who provides satisfactory proof of his or her full legal name, United States citizenship, identity, date of birth, Social Security number, residence address, and a photographic identity document. An enhanced driver license is an operator's or chauffeur's license for use in entering the United States at land and at sea ports and use in the same manner as a driver's license.

Under the bill, the SOS would have to allow, as provided under Senate Bill 278, an applicant for an enhanced driver license to elect a communication impediment designation and implement the process to allow law enforcement agencies of the State to view a communication impediment designation that the holder of an enhanced driver license had voluntarily provided to the SOS.

An enhanced driver license or enhanced official State personal ID card may not display a person's Social Security number on the face of the card. Under the bill, if applicable, the enhanced driver license or enhanced official State personal ID card could not display a communication impediment designation on the face of the card.

MCL 257.221 & 257.310 (S.B. 278)
28.305 (S.B. 279)

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bills would increase costs to the Department of State by an indeterminate amount. The requirements to provide an option for individuals to elect a communication impediment designation on enhanced driver licenses or vehicle registrations would result in the Department having to reprogram two systems: one for the enhanced driver licenses and another for the vehicle registrations, which would result in additional costs for the Department. These costs are indeterminate and would depend on whether the changes to the systems could be incorporated into the Department's current upgrade of its computer

and software systems. If not, additional programming and software updates could be necessary, which would increase the costs to the Department.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.