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Senate Bill 876 (as introduced 4-24-20)
Sponsor: Senator Wayne Schmidt
Committee: Transportation and Infrastructure

Date Completed: 5-12-20

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- During the state of emergency declared under Executive Order No. 2020-33, or any extension of that order, specify that an individual's operator's license, chauffer's license, commercial driver license, or commercial learner's permit that expired or was set to expire between February 1, 2020, and May 31, 2020, would be valid until June 30, 2020.**
- Prohibit a law enforcement officer from arresting an individual who operated a motor vehicle with an expired license or permit between the dates above.**
- Specify that the bill would not prevent the Secretary of State (SOS) from suspending or revoking a license or permit under the Code.**
- Specify circumstances under which the bill's provisions would not apply.**

The Code governs the issuance and expiration of an operator's license and a chauffer's license. Generally, these licenses expire on the birthday of the individual to whom the license is issued in the fourth year following the date of the issuance of the licensure or on the date the individual is no longer considered legally present in the United States. An individual can apply for extensions under certain circumstances.

Under the bill, notwithstanding any provision of the Code to the contrary, during the state of emergency declared under Executive Order No. 2020-33 or any extension of that Order, an individual's operator's license, chauffer's license, commercial driver license, or commercial learner's permit that expired or was set to expire between February 1, 2020, and May 31, 2020, would be valid until June 30, 2020. Until that date, a law enforcement officer could not arrest an individual who operated a motor vehicle with an operator's license, chauffer's license, commercial driver license, or commercial learner's permit that expired between February 1, 2020 and May 31, 2020.

(Executive Order 2020-33 extended the Governor's declared state of emergency previously established under Executive Order 2020-4. According to Executive Order 2020-33, the state of emergency will terminate when emergency and disaster conditions no longer exist and appropriate programs have been implemented for statewide recovery.)

The bill specifies that it would not prevent the Secretary of State from suspending or revoking an operator's license, chauffer's license, commercial driver license, commercial learner's permit, vehicle designations, or endorsements on an operator's license or chauffer's license under the Code.

The bill also specifies that the above provisions would not apply to the following:

- An individual whose license or commercial learner's permit was revoked or suspended for driving offenses.
- An individual who, since his or her last medical certificate was issued, had been diagnosed with a medical condition that would disqualify him or her from operating a commercial vehicle.
- An individual who, since his or her last medical certificate was issued, had developed a condition that required an exemption or skill performance evaluation from the Federal Motor Carrier Safety Administration.

MCL 257.314 et al.

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bill would not have a significant fiscal impact on the Department of State, as the fees from renewals of licenses or permits eventually will be collected by the Department, albeit at a later date than normal.

Regarding late fees, the Department could see a decrease in revenue as the Department of State would not access a late fee at renewal for a license, permit, or registration that expired between February 1, 2020, and May 31, 2020, so long as renewal occurs by June 30, 2020 (as stated in Executive Order 2020-47). On average the Department of State collects an estimated \$965,000 per month in late fees for these renewals, a portion of which come from late fees for renewals of driver licenses and permits.

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.