

# SENATE BILL NO. 876

April 24, 2020, Introduced by Senator SCHMIDT and referred to the Committee on Government Operations.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 314 (MCL 257.314), as amended by 2011 PA 159, and by adding section 314c.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 314. (1) Except as otherwise provided in this section,  
2 ~~operator's licenses and chauffeur's licenses~~ **an operator's license**  
3 **and chauffeur's license** expire on the birthday of the ~~person~~  
4 **individual** to whom the license is issued in the fourth year  
5 following the date of the issuance of the license or on the date

1 the ~~person~~**individual** is no longer considered to be legally present  
2 in the United States under section 307, whichever is earlier,  
3 unless suspended or revoked before that date. A license ~~shall~~**must**  
4 not be issued for a period longer than 4 years. A ~~person~~**An**  
5 **individual** holding a license at any time 12 months before the  
6 expiration of his or her license may apply for a new license as  
7 provided for in this chapter. A knowledge test for an original  
8 group designation or indorsement may be taken at any time during  
9 this period and the results are valid for 12 months. A license  
10 renewed under this subsection ~~shall~~**must** be renewed for the time  
11 remaining on the license before its renewal combined with the 4-  
12 year renewal period.

13 (2) The first operator's license issued to a ~~person~~**an**  
14 **individual** who at the time of application is less than 20-1/2 years  
15 of age expires on the licensee's twenty-first birthday or on the  
16 date the ~~person~~**individual** is no longer considered to be legally  
17 present in the United States under section 307, whichever is  
18 earlier, unless suspended or revoked.

19 (3) The first chauffeur's license issued to a ~~person~~**an**  
20 **individual** expires on the licensee's birthday in the fourth year  
21 following the date of issuance or on the date the ~~person~~**individual**  
22 is no longer considered to be legally present in the United States  
23 under section 307, whichever is earlier, unless the license is  
24 suspended or revoked before that date. The chauffeur's license of a  
25 ~~person~~**an individual** who at the time of application is less than  
26 20-1/2 years of age expires on the licensee's twenty-first birthday  
27 or on the date the ~~person~~**individual** is no longer considered to be  
28 legally present in the United States under section 307, whichever  
29 is earlier, unless suspended or revoked. A subsequent chauffeur's

1 license expires on the birthday of the ~~person~~**individual** to whom  
2 the license is issued in the fourth year following the date of  
3 issuance of the license or on the date the ~~person~~**individual** is no  
4 longer considered to be legally present in the United States under  
5 section 307, whichever is earlier, unless the license is suspended  
6 or revoked before that date.

7 (4) ~~A person~~**An individual** may apply for an extension of his  
8 or her driving privileges if he or she is out of state on the date  
9 that his or her operator's or chauffeur's license expires. The  
10 extension may extend the license for 180 days beyond the expiration  
11 date or not more than 2 weeks after the applicant returns to  
12 Michigan, whichever occurs first. This subsection does not apply to  
13 ~~a person~~**an individual** who fails to meet the requirements of 49 CFR  
14 parts 383 and 391 with regard to medical certification  
15 documentation requirements.

16 (5) The secretary of state may issue a renewal operator's or  
17 chauffeur's license to ~~a person~~**an individual** who will be out of  
18 state for more than 180 days beyond the expiration date of his or  
19 her operator's or chauffeur's license, if the secretary of state  
20 has a digital image of the ~~person~~**individual** on file. The applicant  
21 for this renewal shall submit a statement evidencing a vision  
22 examination in accordance with the rules promulgated by the  
23 secretary of state under section 309 and any other statement  
24 required by this act or federal law. ~~A person~~**An individual** is not  
25 eligible for consecutive renewals of a license under this  
26 subsection. This subsection does not apply to ~~a person~~**an**  
27 **individual** who fails to meet the requirements of 49 CFR parts 383  
28 and 391 with regard to medical certification documentation  
29 requirements, or ~~a person~~**an individual** with a hazardous material

1 indorsement on his or her operator's or chauffeur's license.

2 (6) The secretary of state may check the applicant's driving  
3 record through the ~~national driver register~~ **National Driver**  
4 **Register** and the ~~commercial driver license information system~~  
5 **Commercial Driver's License Information System** before issuing a  
6 renewal under this section.

7 **Sec. 314c. (1) Notwithstanding any provisions of this act to**  
8 **the contrary, during the state of emergency declared under**  
9 **Executive Order No. 2020-33 or any extension of that order, an**  
10 **individual's operator's license, chauffeur's license, commercial**  
11 **driver license, or commercial learner's permit that expired or is**  
12 **set to expire between February 1, 2020 and May 31, 2020 is valid**  
13 **until June 30, 2020.**

14 (2) Until June 30, 2020, a law enforcement officer shall not  
15 arrest an individual who operates a motor vehicle with an  
16 operator's license, chauffeur's license, commercial driver license,  
17 or commercial learner's permit that expired between February 1,  
18 2020 and May 31, 2020. Nothing in this act prevents the secretary  
19 of state from suspending or revoking an operator's license,  
20 chauffeur's license, commercial driver license, commercial  
21 learner's permit, vehicle designations, or endorsements on an  
22 operator's license or chauffeur's license under this act.

23 (3) This section does not apply to the following:

24 (a) An individual whose operator's license, chauffeur's  
25 license, commercial driver license, or commercial learner's permit  
26 was revoked or suspended for driving offenses.

27 (b) An individual who, since his or her last medical  
28 certificate was issued, has been diagnosed with a medical condition  
29 that would disqualify the individual from operating a commercial

1 vehicle.

2 (c) An individual who, since his or her last medical  
3 certificate was issued, has developed a condition that requires an  
4 exemption or skill performance evaluation from the Federal Motor  
5 Carrier Safety Administration.