

**SUBSTITUTE FOR
HOUSE BILL NO. 5150**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 208 (MCL 257.208), as amended by 2020 PA 376.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 208. (1) Except as otherwise specified in this section,
2 the secretary of state may destroy any department records
3 maintained on file for 7 years, including the information contained
4 in the central file maintained under section 204a.

5 (2) Except as otherwise provided in this section, records of
6 convictions of any offense for which points are provided under
7 section 320a(1)(a), (b), (c), or (g) or section 320a(8) may be
8 destroyed after being maintained on file for 10 years. However, if
9 an individual is convicted of violating section 625, the record of



1 that conviction must be maintained for the life of the individual.

2 (3) If an individual who is a commercial license holder or a
3 noncommercial license holder who operates a commercial motor
4 vehicle is convicted under a law of this state, a local ordinance
5 that substantially corresponds to a law of this state, or a law of
6 another state that substantially corresponds to a law of this state
7 of any of the following violations, the record of that conviction
8 must be maintained for the life of the individual or until the
9 individual moves to another jurisdiction:

10 (a) Operating a vehicle in violation of section 625.

11 (b) Operating a commercial motor vehicle in violation of
12 section 625m.

13 (c) Leaving the scene of an accident.

14 (d) Using a vehicle to commit a felony.

15 (e) Refusing to take an alcohol or controlled substance test
16 required under this act.

17 (f) Operating a commercial motor vehicle when the individual's
18 operator's or chauffeur's license or vehicle group designation is
19 suspended, revoked, or canceled as a result of prior violations
20 committed while operating a commercial motor vehicle.

21 (g) Operating a commercial motor vehicle when the individual
22 is disqualified from operating a commercial motor vehicle.

23 (h) Causing any fatality through the negligent operation of a
24 commercial motor vehicle.

25 (4) Records of stolen vehicles reported in section 253 may be
26 destroyed after being maintained on file for the year of entry plus
27 4 years.

28 (5) Except as otherwise specified in this act, records the
29 secretary of state considers obsolete and of no further service in



1 carrying out the department's powers and duties may be destroyed on
2 that determination.

3 (6) If a record of suspension under section 321a does not
4 contain a conviction for a violation of section 904 or a local
5 ordinance that substantially corresponds to section 904 during the
6 period of suspension, the secretary of state may destroy the record
7 180 days after the suspension terminates or as provided in
8 subsections (1) to (5).

9 (7) The secretary of state may destroy a record maintained
10 under section 204a 180 days after the nonresident driver against
11 whom a civil infraction determination is entered complies with an
12 order or judgment issued under section 907.

13 (8) **Except as otherwise provided in this section, beginning**
14 **July 16, 2024, the secretary of state may destroy records regarding**
15 **any of the following offenses after the records are maintained on**
16 **file for 5 years:**

17 (a) **An offense for which no points are provided under section**
18 **320a, 328, 629c, or 710e.**

19 (b) **An offense for which fewer than 3 points are provided**
20 **under section 320a or 629c.**

21 (c) **An offense for which 3 points are provided under section**
22 **320a(1) (n) or (r).**

