

HOUSE BILL NO. 4474

May 08, 2025, Introduced by Reps. DeSana, Schriver, Fox, Carra and Woolford and referred to Committee on Government Operations.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 307 (MCL 257.307), as amended by 2023 PA 260.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 307. (1) If an applicant for an operator's license or
2 chauffeur's license to operate a noncommercial motor vehicle is a
3 citizen of the United States, the applicant shall ~~supply~~**provide** a
4 photographic identity document, a birth certificate, or other
5 sufficient documents as the secretary of state may require, to
6 verify the identity and citizenship of the applicant. If an

1 applicant for an operator's or chauffeur's license is not a citizen
2 of the United States, the applicant shall ~~supply~~**provide** a
3 photographic identity document and other sufficient documents to
4 verify the identity of the applicant and the applicant's legal
5 presence in the United States under subdivision (b). The documents
6 required under this subsection must include the applicant's full
7 legal name, date of birth, and address and residency and
8 demonstrate that the applicant is a citizen of the United States or
9 is legally present in the United States. If the applicant's full
10 legal name differs from the name of the applicant that appears on a
11 document ~~presented~~**provided** under this subsection, the applicant
12 shall ~~present~~**provide** documents to verify the applicant's current
13 full legal name. The secretary of state shall accept as 1 of the
14 required identification documents an identification card issued by
15 the department of corrections to prisoners who are placed on parole
16 or released from a correctional facility, containing the prisoner's
17 legal name, photograph, and other information identifying the
18 prisoner as provided in section 37(4) of the corrections code of
19 1953, 1953 PA 232, MCL 791.237. An application for an operator's or
20 chauffeur's license must be made in a manner prescribed by the
21 secretary of state and must contain all of the following:

22 (a) The applicant's full legal name, date of birth, residence
23 address, height, sex, eye color, signature, intent to make an
24 anatomical gift, other information required or permitted on the
25 license under this chapter, and, only to the extent required to
26 comply with federal law, the applicant's Social Security number.
27 The applicant may provide a mailing address if the applicant
28 receives mail at an address different from the applicant's
29 residence address.

1 (b) If the applicant is not a citizen of the United States,
2 the applicant shall provide, and the department shall verify,
3 documents demonstrating the applicant's legal presence in the
4 United States. Nothing in this act must obligate or be construed to
5 obligate this state to comply with title II of the real ID act of
6 2005, Public Law 109-13. The secretary of state may adopt rules
7 under the administrative procedures act of 1969, 1969 PA 306, MCL
8 24.201 to 24.328, as are necessary for the administration of this
9 subdivision. A determination by the secretary of state that an
10 applicant is not legally present in the United States may be
11 appealed under section 631 of the revised judicature act of 1961,
12 1961 PA 236, MCL 600.631. The secretary of state shall not issue an
13 operator's license or a chauffeur's license to an applicant
14 described in this subdivision for a term that exceeds the duration
15 of the applicant's legal presence in the United States. **The**
16 **secretary of state shall not issue an operator's license or a**
17 **chauffeur's license that complies with title II of the real ID act**
18 **of 2005, Public Law 109-13.**

19 (c) The following notice must be included to inform the
20 applicant that under sections 509o and 509r of the Michigan
21 election law, 1954 PA 116, MCL 168.509o and 168.509r, the secretary
22 of state is required to use the residence address provided on this
23 application as the applicant's residence address on the qualified
24 voter file for voter registration and voting:

1 "NOTICE: Michigan law requires that the same address be
2 used for voter registration and driver license purposes.
3 Therefore, if the residence address you provide in this
4 application differs from your voter registration address
5 as it appears on the qualified voter file, the secretary
6 of state will automatically change your voter registration
7 to match the residence address on this application, after
8 which your voter registration at your former address will
9 no longer be valid for voting purposes. A new voter
10 registration card, containing the information of your
11 polling place, will be provided to you by the clerk of the
12 jurisdiction where your residence address is located."

13 (d) For an original or renewal operator's or chauffeur's
14 license with a vehicle group designation or ~~indorsement,~~
15 **endorsement**, the names of all states where the applicant has been
16 licensed to drive any type of motor vehicle during the previous 10
17 years.

18 (e) For an operator's or chauffeur's license with a vehicle
19 group designation or ~~indorsement,~~**endorsement**, the following
20 certifications by the applicant:

21 (i) The applicant meets the applicable federal driver
22 qualification requirements under 49 CFR parts 383 and 391 or meets
23 the applicable qualifications of the department of state police
24 under the motor carrier safety act of 1963, 1963 PA 181, MCL 480.11
25 to 480.25.

26 (ii) The vehicle in which the applicant will take the driving
27 skills tests is representative of the type of vehicle the applicant
28 operates or intends to operate.

29 (iii) The applicant is not subject to disqualification by the

1 United States Secretary of Transportation, or a suspension,
2 revocation, or cancellation under any state law for conviction of
3 an offense described in section 312f or 319b.

4 (iv) The applicant does not have a ~~driver's~~**driver** license from
5 more than 1 state or jurisdiction.

6 (f) An applicant for an operator's or chauffeur's license with
7 a vehicle group designation and a hazardous material ~~indorsement~~
8 **endorsement** shall provide the applicant's fingerprints as
9 prescribed by state and federal law.

10 (g) Only for voter registration transactions under section
11 493a(6) of the Michigan election law, 1954 PA 116, MCL 168.493a, a
12 space for the applicant to indicate on the application or change of
13 address application whether the applicant is a citizen of the
14 United States.

15 (h) Only for voter registration transactions under section
16 493a(6) of the Michigan election law, 1954 PA 116, MCL 168.493a, a
17 space to allow the applicant to indicate that the applicant
18 declines to use the application as a voter registration
19 application.

20 (i) ~~Beginning June 27, 2021, an~~ **An** applicant for an operator's
21 or chauffeur's license who is a program participant in the address
22 confidentiality program under the address confidentiality program
23 act, 2020 PA 301, MCL 780.851 to 780.873, shall ~~present~~**provide** to
24 the secretary of state the applicant's participation card issued
25 under the address confidentiality program act, 2020 PA 301, MCL
26 780.851 to 780.873.

27 (2) An applicant for an operator's or chauffeur's license may
28 have the applicant's image and signature captured or reproduced
29 when the application for the license is made. The secretary of

1 state shall acquire equipment purchased or leased under this
2 section under standard purchasing procedures of the department of
3 technology, management, and budget based on standards and
4 specifications established by the secretary of state. The secretary
5 of state shall not purchase or lease equipment until an
6 appropriation for the equipment has been made by the legislature. A
7 digital photographic image and signature captured under this
8 section must appear on the applicant's operator's license or
9 chauffeur's license. An individual's digital photographic image and
10 signature ~~shall~~ **must not** be used **except** as follows:

11 (a) By a federal, state, or local governmental agency for a
12 law enforcement purpose authorized by law.

13 (b) By the secretary of state for a use specifically
14 authorized by law.

15 (c) By the secretary of state for forwarding to the department
16 of state police the images of individuals required to be registered
17 under the sex offenders registration act, 1994 PA 295, MCL 28.721
18 to 28.730, on the department of state police providing the
19 secretary of state an updated list of the names of those
20 individuals.

21 (d) By the secretary of state for forwarding to the department
22 of state police as provided in section 5c of 1927 PA 372, MCL
23 28.425c.

24 (e) By the secretary of state for forwarding to the department
25 of licensing and regulatory affairs the images of applicants for an
26 official state registry identification card issued under section 6
27 of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26426, if
28 the department of licensing and regulatory affairs promulgates
29 rules requiring a photograph as a design element for an official

1 state registry identification card.

2 (f) As necessary to comply with a law of this state or of the
3 United States.

4 (3) An application must contain a signature or verification
5 and certification by the applicant, as determined by the secretary
6 of state, and must be accompanied by the proper fee. The secretary
7 of state shall collect the application fee with the application.
8 The secretary of state shall refund the application fee to the
9 applicant if the license applied for is denied, but shall not
10 refund the fee to an applicant who fails to complete the
11 examination requirements of the secretary of state ~~within~~**not later**
12 **than** 90 days after the date of application for a license.

13 (4) In conjunction with the application for an original or
14 renewal operator's license or chauffeur's license, the secretary of
15 state shall do all of the following:

16 (a) If the applicant is not a participant in the anatomical
17 gift donor registry program, specifically inquire, either orally or
18 in writing, whether the applicant wishes to participate in the
19 anatomical gift donor registry program under part 101 of the public
20 health code, 1978 PA 368, MCL 333.10101 to 333.10123. If the
21 secretary of state or an employee of the secretary of state fails
22 to inquire whether an applicant wishes to participate in the
23 anatomical gift donor registry program as required by this
24 subdivision, neither the secretary of state nor the employee is
25 civilly or criminally liable for the failure to make the inquiry.

26 (b) Provide the applicant with all of the following:

27 (i) Information explaining the applicant's right to make an
28 anatomical gift in the event of death in accordance with section
29 310.

1 (ii) Information describing the anatomical gift donor registry
2 program under part 101 of the public health code, 1978 PA 368, MCL
3 333.10101 to 333.10123. The information required under this
4 subparagraph includes the address and telephone number of
5 ~~Michigan's federally designated~~ **this state's** organ procurement
6 organization as that term is defined in section 10102 of the public
7 health code, 1978 PA 368, MCL 333.10102, or its successor
8 organization.

9 (iii) Information giving the applicant the opportunity to be
10 placed on the donor registry described in subparagraph (ii).

11 (c) Provide the applicant with the opportunity to specify on
12 the applicant's operator's or chauffeur's license that the
13 applicant is willing to make an anatomical gift in the event of
14 death in accordance with section 310.

15 (d) Inform the applicant that, if the applicant indicates to
16 the secretary of state under this section a willingness to have the
17 applicant's name placed on the donor registry described in
18 subdivision (b) (ii), the secretary of state will mark the
19 applicant's record for the donor registry.

20 (5) The secretary of state may fulfill the requirements of
21 subsection (4) by 1 or more of the following methods:

22 (a) Providing printed material enclosed with a mailed notice
23 for an operator's or chauffeur's license renewal or the issuance of
24 an operator's or chauffeur's license.

25 (b) Providing printed material to an applicant who personally
26 appears at a secretary of state branch office, or inquiring orally.

27 (c) Through electronic information transmittals for operator's
28 and chauffeur's licenses processed by electronic means.

29 (6) The secretary of state shall maintain a record of an

1 individual who indicates a willingness to have the individual's
2 name placed on the donor registry described in subsection
3 (4) (b) (ii). Information about an applicant's indication of a
4 willingness to have the applicant's name placed on the donor
5 registry that is obtained by the secretary of state under
6 subsection (4) and forwarded under subsection (14) is exempt from
7 disclosure under section 13(1) (d) of the freedom of information
8 act, 1976 PA 442, MCL 15.243. The secretary of state is not
9 required to maintain a record of an individual who does not
10 indicate a willingness to have the individual's name placed on the
11 donor registry described in subsection (4) (b) (ii) or an individual
12 who does not respond to an inquiry under subsection (4) (a).

13 (7) If an application is received from an individual
14 previously licensed in another jurisdiction, the secretary of state
15 shall request a copy of the applicant's driving record and other
16 available information from the National Driver Register. When
17 received, the driving record and other available information become
18 a part of the driver's record in this state.

19 (8) If an individual applies for a commercial learner's permit
20 for an original vehicle group designation or ~~indorsement~~
21 **endorsement** to operate a commercial motor vehicle, the secretary of
22 state may verify the individual's identity, may require proof of
23 Michigan domicile under 49 CFR 383.5, and may verify the
24 individual's proof of United States citizenship or proof of lawful
25 permanent residency as required under 49 CFR 383.71 and 383.73, if
26 that information is not on the individual's Michigan driving
27 record. If an individual applies for a renewal of an operator's or
28 chauffeur's license to operate a commercial motor vehicle, the
29 secretary of state may verify the individual's identity, may

1 require proof of Michigan domicile under 49 CFR 383.5, and may
2 verify the individual's proof of citizenship or lawful permanent
3 residency under 49 CFR 383.71 and 383.73, if that information is
4 not on the individual's Michigan driving record. If an individual
5 applies for an upgrade of a vehicle group designation or
6 ~~indorsement,~~ **endorsement**, the secretary of state may verify the
7 individual's identity, may require proof of Michigan domicile under
8 49 CFR 383.5, and may verify the individual's proof of citizenship
9 or lawful permanent residency under 49 CFR 383.71 and 383.73, if
10 that information is not on the individual's Michigan driving
11 record. The secretary of state shall request the individual's
12 complete driving record from all states where the applicant was
13 previously licensed to drive any type of motor vehicle over the
14 last 10 years before issuing a vehicle group designation or
15 ~~indorsement~~ **endorsement** to the applicant. If the applicant does not
16 hold a valid commercial motor vehicle driver license from a state
17 where the applicant was licensed in the last 10 years, this
18 complete driving record request must be made not earlier than 24
19 hours before the secretary of state issues the applicant a vehicle
20 group designation or ~~indorsement.~~ **endorsement**. For all other
21 drivers, this request must be made not earlier than 10 days before
22 the secretary of state issues the applicant a vehicle group
23 designation or ~~indorsement.~~ **endorsement**. If the application is for
24 the renewal of a vehicle group designation or ~~indorsement,~~
25 **endorsement**, and if the secretary of state enters on the
26 individual's driving record maintained under section 204a a
27 notation that the request was made and the date of the request, the
28 secretary of state is required to request the applicant's complete
29 driving record from other states only ~~once~~ **1 time** under this

1 section. The secretary of state shall also check the applicant's
2 driving record with the National Driver Register and the federal
3 Commercial Driver's License Information System before issuing that
4 group designation or ~~indorsement~~.**endorsement**.

5 (9) The secretary of state may issue a renewal operator's or
6 chauffeur's license for 1 additional 4-year period or ~~beginning on~~
7 ~~July 1, 2021,~~ for 2 additional 4-year periods, or until the
8 individual is no longer determined to be legally present under this
9 section by mail or by other methods prescribed by the secretary of
10 state. The secretary of state may check the applicant's driving
11 record through the National Driver Register and the Commercial
12 Driver's License Information System before issuing a license under
13 this section. The secretary of state shall ~~issue a~~**require** renewal
14 ~~license only~~ in person **only** if the individual is an individual
15 required under section 5a of the sex offenders registration act,
16 1994 PA 295, MCL 28.725a, to maintain a valid operator's or
17 chauffeur's license or official state personal identification card.
18 If a license is renewed by mail or by other method, the secretary
19 of state shall issue evidence of renewal to indicate the date the
20 license expires in the future. The department of state police shall
21 provide to the secretary of state updated lists of individuals
22 required under section 5a of the sex offenders registration act,
23 1994 PA 295, MCL 28.725a, to maintain a valid operator's or
24 chauffeur's license or official state personal identification card.

25 (10) Upon request, the secretary of state shall provide an
26 information manual to an applicant explaining how to obtain a
27 vehicle group designation or ~~indorsement~~.**endorsement**. The manual
28 must contain the information required under 49 CFR part 383.

29 (11) The secretary of state shall not disclose a Social

1 Security number obtained under subsection (1) to another person
 2 except ~~for use for~~ **under** 1 or more of the following
 3 ~~purposes:~~**circumstances:**

4 (a) ~~Compliance~~ **For compliance** with 49 USC 31301 to 31317 and
 5 regulations and state law and rules related to this chapter.

6 (b) To carry out the purposes of section 466(a) of the social
 7 security act, 42 USC 666, in connection with matters relating to
 8 paternity, child support, or overdue child support.

9 (c) To check an applicant's driving record through the
 10 National Driver Register and the Commercial Driver's License
 11 Information System when issuing a license under this act.

12 (d) ~~With~~ **For** the department of health and human services ~~, for~~
 13 ~~comparison~~ **to compare** with vital records maintained by the
 14 department of health and human services under part 28 of the public
 15 health code, 1978 PA 368, MCL 333.2801 to 333.2899.

16 (e) As otherwise required by law.

17 (12) The secretary of state shall not display an individual's
 18 Social Security number on the individual's operator's or
 19 chauffeur's license.

20 (13) A requirement under this section to include a Social
 21 Security number on an application does not apply to an applicant
 22 who demonstrates that the applicant is exempt under law from
 23 obtaining a Social Security number.

24 (14) As required in section 10120 of the public health code,
 25 1978 PA 368, MCL 333.10120, the secretary of state shall maintain
 26 the donor registry in a manner that provides electronic access,
 27 including, but not limited to, the transfer of data to this state's
 28 federally designated organ procurement organization or its
 29 successor organization, tissue banks, and eye banks, in a manner

1 that complies with that section.

2 (15) The secretary of state, with the approval of the state
3 administrative board created under 1921 PA 2, MCL 17.1 to 17.3, may
4 enter into agreements with the United States government to verify
5 whether an applicant for an operator's license or a chauffeur's
6 license under this section who is not a citizen of the United
7 States is authorized under federal law to be present in the United
8 States.

9 (16) The secretary of state shall not issue an operator's
10 license or a chauffeur's license to an individual holding an
11 operator's license or chauffeur's license issued by another state
12 without confirmation that the individual is terminating or has
13 terminated the operator's license or chauffeur's license issued by
14 the other state.

15 (17) The secretary of state shall do all of the following:

16 (a) Ensure the physical security of locations where operator's
17 licenses and chauffeur's licenses are produced and the security of
18 document materials and papers from which operator's licenses and
19 chauffeur's licenses are produced.

20 (b) Subject all persons authorized to manufacture or produce
21 operator's licenses or chauffeur's licenses and all persons who
22 have the ability to affect the identity information that appears on
23 operator's licenses or chauffeur's licenses to appropriate security
24 clearance requirements. The security requirements of this
25 subdivision and subdivision (a) may require that licenses be
26 manufactured or produced in this state.

27 (c) Provide fraudulent document recognition programs to
28 department of state employees engaged in the issuance of operator's
29 licenses and chauffeur's licenses.

1 (18) The secretary of state shall have electronic access to
2 prisoner information maintained by the department of corrections
3 for the purpose of verifying the identity of a prisoner who applies
4 for an operator's or chauffeur's license under subsection (1).

5 (19) Subject to this subsection, any printed notice provided
6 to an applicant at the conclusion of a transaction conducted under
7 this section must, if the individual's information will be used for
8 voter registration or voter preregistration under section 493a(2)
9 to (5) of the Michigan election law, 1954 PA 116, MCL 168.493a,
10 include a notice of that use and that the individual will receive a
11 notice mailed under section 493a(2) to (5) of the Michigan election
12 law, 1954 PA 116, MCL 168.493a. If the individual's information has
13 been used for voter registration or preregistration under section
14 493a(6) of the Michigan election law, 1954 PA 116, MCL 168.493a,
15 the printed notice provided to the applicant must include a notice
16 of that voter registration and the printed notice serves as a
17 receipt verifying the voter registration application.