



HOUSE BILL No. 4859

May 18, 1995, Introduced by Rep. Wetters and referred to the Committee on Judiciary and Civil Rights.

A bill to amend sections 204a, 322, 625b, 625h, 625k, and 625l of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

section 204a as amended by Act No. 359 of the Public Acts of 1993 and sections 625b, 625h, 625k, and 625l as amended by Act No. 450 of the Public Acts of 1994, being sections 257.204a, 257.322, 257.625b, 257.625h, 257.625k, and 257.625l of the Michigan Compiled Laws; and to add sections 622a, 625n, 625o, and 625p.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 204a, 322, 625b, 625h, 625k, and 625l
2 of Act No. 300 of the Public Acts of 1949, section 204a as
3 amended by Act No. 359 of the Public Acts of 1993 and
4 sections 625b, 625h, 625k, and 625l as amended by Act No. 450 of
5 the Public Acts of 1994, being sections 257.204a, 257.322,

1 257.625b, 257.625h, 257.625k, and 257.625l of the Michigan
2 Compiled Laws, are amended and sections 622a, 625n, 625o, and
3 625p are added to read as follows:

4 Sec. 204a. (1) The secretary of state shall create and
5 maintain a central file that shall provide an individual, histor-
6 ical driving record for a person, including a nonresident, with
7 respect to all of the following:

8 (a) A license issued to the person under chapter 3.

9 (b) A conviction or civil infraction determination entered
10 against the person for a violation of this act or a local ordi-
11 nance substantially corresponding to a provision of this act. IF
12 THE CONVICTION IS FOR A VIOLATION OF SECTION 625 OR 625M OR A
13 LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 625 OR
14 625M, THE RECORD OF CONVICTION SHALL INCLUDE THE LOWEST BLOOD
15 ALCOHOL CONTENT SAMPLE FOR EACH CONVICTION AS RECORDED ON AN EVI-
16 DENTIAL BREATH ALCOHOL TEST INSTRUMENT ADMINISTERED TO THE PERSON
17 PURSUANT TO RULES PROMULGATED BY THE DEPARTMENT OF STATE POLICE
18 UNDER SECTION 625H OR NOTICE THAT A CHEMICAL TEST WAS NOT
19 ADMINISTERED.

20 (c) A failure of the person to comply with an order or judg-
21 ment issued pursuant to section 907.

22 (d) A cancellation, denial, revocation, suspension, or
23 restriction of the person's operating privilege under this act.

24 (e) An accident in which the person is involved.

25 (f) A conviction of the person for an offense described in
26 section 319e.

1 (g) Any other information received by the secretary of state
2 regarding the person that is required to be maintained as part of
3 the person's driving record as provided by law.

4 (2) A certified copy of an order, record, or paper main-
5 tained in this file is admissible in evidence in like manner as
6 the original and is prima facie proof of the facts stated in the
7 original.

8 Sec. 322. (1) The secretary of state shall appoint a hear-
9 ing officer to hear appeals from persons aggrieved by a final
10 determination of the secretary of state denying an application
11 for an operator's or chauffeur's license, suspending,
12 RESTRICTING, or revoking an operator's or chauffeur's license, or
13 other license action. THE APPEAL OF A PERSON SHALL BE IN WRITING
14 AND FILED WITH THE SECRETARY OF STATE WITHIN 14 DAYS AFTER THE
15 FINAL DETERMINATION. UPON NOTICE OF THE APPEAL, THE HEARING
16 OFFICER SHALL REQUIRE PRODUCTION OF ALL DOCUMENTS FILED IN CON-
17 NECTION WITH THE MATTER, TOGETHER WITH A TRANSCRIPT OF ANY TESTI-
18 MONY WHICH MAY HAVE BEEN TAKEN AND MAY TAKE SUCH ADDITIONAL TES-
19 TIMONY AS HE OR SHE CONSIDERS ADVISABLE.

20 (2) IN ANY HEARING OR MATTER PROPERLY PENDING BEFORE THE
21 HEARING OFFICER, THE hearing officer may: ~~issue~~

22 (A) ISSUE subpoenas to compel attendance of witnesses in any
23 matter or hearing properly pending before the officer. ~~, issue~~

24 (B) ISSUE process to compel attendance. ~~, and punish~~

25 (C) PUNISH for contempt any witness failing to appear or
26 testify in accordance with the rules and practice in circuit

1 courts so far as the same can be made to apply. ~~The hearing~~
2 ~~officer may swear~~

3 (D) SWEAR witnesses, ~~and~~ administer oaths, and exemplify
4 records in any matter coming before the officer. ~~The hearing~~
5 ~~officer may after~~

6 (E) AFTER hearing affirm, modify, or set aside, a final
7 determination of the secretary of state denying an application
8 for an operator's or chauffeur's license or suspending,
9 RESTRICTING, or revoking an operator's or chauffeur's license, or
10 any other license action. ~~The appeal shall be in writing and~~
11 ~~shall be filed with the secretary of state within 14 days after~~
12 ~~the final determination. The hearing officer shall thereupon~~
13 ~~require production of all documents filed in connection with the~~
14 ~~matter, together with a transcript of any testimony which may~~
15 ~~have been taken and may take such additional testimony as he may~~
16 ~~deem advisable.~~

17 (3) AFTER HEARING A MATTER OF DENIAL OR REVOCATION PURSUANT
18 TO SECTION 303(1)(E) OR SECTION 303(2)(C), (D), OR (E), IF THE
19 HEARING OFFICER ISSUES A RESTRICTED LICENSE TO A PERSON, THE
20 HEARING OFFICER SHALL DO ALL OF THE FOLLOWING:

21 (A) REQUIRE THAT THE ISSUANCE OF THE RESTRICTED LICENSE
22 INCLUDE THE INSTALLATION OF A FUNCTIONING IGNITION INTERLOCK
23 DEVICE THAT MEETS OR EXCEEDS THE MODEL SPECIFICATIONS OF THE
24 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION FOR BREATH ALCOHOL
25 IGNITION INTERLOCK DEVICES (BAIID) SET FORTH IN 57 F.R.P. 11772,
26 APRIL 7, 1992, ON EACH MOTOR VEHICLE THE PERSON OWNS OR INTENDS

1 TO OPERATE, THE COSTS OF WHICH SHALL BE BORNE BY THE PERSON WHOSE
2 LICENSE IS RESTRICTED.

3 (B) REQUIRE THE DEVICE BE SET TO RENDER THE MOTOR VEHICLE
4 INOPERABLE IF THE DEVICE DETECTS A BLOOD ALCOHOL CONTENT OF 0.02%
5 OR MORE BY WEIGHT OF ALCOHOL IN THE PERSON WHO OFFERS A BREATH
6 SAMPLE.

7 (C) NOT ISSUE THE RESTRICTED LICENSE UNTIL VERIFICATION OF
8 INSTALLATION OF AN IGNITION INTERLOCK DEVICE IS RECEIVED BY THE
9 SECRETARY OF STATE.

10 (D) REQUIRE PERIODIC MONITORING OF AN INSTALLED IGNITION
11 INTERLOCK DEVICE BY THE MANUFACTURER OR INSTALLER.

12 (E) REQUIRE THAT IF MONITORING INDICATES THE DEVICE HAS BEEN
13 CIRCUMVENTED, TAMPERED WITH, OR BYPASSED, THAT FACT SHALL IMMEDI-
14 ATELY BE COMMUNICATED TO THE SECRETARY OF STATE.

15 SEC. 622A. THE ACCIDENT REPORT FORM REQUIRED BY THIS CHAP-
16 TER SHALL INCLUDE, WHEN APPLICABLE, WHETHER AN IGNITION INTERLOCK
17 DEVICE WAS INSTALLED IN A VEHICLE INVOLVED IN AN ACCIDENT.

18 Sec. 625b. (1) A person arrested for a misdemeanor viola-
19 tion of section 625(1), (3), or (6) or section 625m or a local
20 ordinance substantially corresponding to section 625(1), (3), or
21 (6) or section 625m shall be arraigned on the citation, com-
22 plaint, or warrant not more than 14 days after the arrest for the
23 violation or, if an arrest warrant is issued or reissued, not
24 more than 14 days after the issued or reissued arrest warrant is
25 served, whichever is later. The court shall not dismiss a case
26 or impose any other sanction for a failure to comply with this
27 time limit. The time limit does not apply to a violation of

1 section 625(1) punishable under section 625(7)(d) or a violation
2 of section 625(1), (3), or (6) or section 625m joined with a
3 felony charge.

4 (2) The court shall schedule a pretrial conference between
5 the prosecuting attorney, the defendant, and the defendant's
6 attorney in each case in which the defendant is charged with a
7 misdemeanor violation of section 625(1), (3), or (6) or
8 section 625m or a local ordinance substantially corresponding to
9 section 625(1), (3), or (6) or section 625m. The pretrial con-
10 ference shall be held not more than 35 days after the person's
11 arrest for the violation or, if an arrest warrant is issued or
12 reissued, not more than 35 days after the issued or reissued
13 arrest warrant is served, whichever is later. If the court has
14 only 1 judge who sits in more than 1 location in that district,
15 the pretrial conference shall be held not more than 42 days after
16 the person's arrest for the violation or, if an arrest warrant is
17 issued or reissued, not more than 42 days after the date the
18 issued or reissued arrest warrant is served, whichever is later.
19 The court shall not dismiss a case or impose any other sanction
20 for a failure to comply with the applicable time limit. The 35-
21 and 42-day time limits do not apply to a violation of
22 section 625(1) punishable under section 625(7)(d) or a violation
23 of section 625(1), (3), or (6) or section 625m joined with a
24 felony charge. The court shall order the defendant to attend the
25 pretrial conference and may accept a plea by the defendant at the
26 conclusion of the pretrial conference. The court may adjourn the
27 pretrial conference upon the motion of a party for good cause

1 shown. Not more than 1 adjournment shall be granted to a party,
2 and the length of an adjournment shall not exceed 14 days.

3 (3) Except for delay attributable to the unavailability of
4 the defendant, a witness, or material evidence or due to an
5 interlocutory appeal or exceptional circumstances, but not a
6 delay caused by docket congestion, the court shall finally adju-
7 dicate, by a plea of guilty or nolo contendere, entry of a ver-
8 dict, or other final disposition, a case in which the defendant
9 is charged with a misdemeanor violation of section 625(1), (3),
10 or (6) or section 625m or a local ordinance substantially corre-
11 sponding to section 625(1), (3), or (6) or section 625m, within
12 77 days after the person is arrested for the violation or, if an
13 arrest warrant is issued or reissued, not more than 77 days after
14 the date the issued or reissued arrest warrant is served, which-
15 ever is later. The court shall not dismiss a case or impose any
16 other sanction for a failure to comply with this time limit. The
17 77-day time limit does not apply to a violation of section 625(1)
18 punishable under section 625(7)(d) or a violation of
19 section 625(1), (3), or (6) or section 625m joined with a felony
20 charge.

21 (4) Before accepting a plea of guilty or nolo contendere
22 under section 625 or a local ordinance substantially correspond-
23 ing to section 625(1), (2), (3), or (6), the court shall advise
24 the accused of the maximum possible term of imprisonment and the
25 maximum possible fine that may be imposed for the violation, and
26 shall advise the defendant that the maximum possible license
27 sanctions that may be imposed will be based upon the master

1 driving record maintained by the secretary of state pursuant to
2 section 204a.

3 (5) Before imposing sentence, other than court-ordered
4 license sanctions, for a violation of section 625(1), (3), (4),
5 (5), or (6) or a local ordinance substantially corresponding to
6 section 625(1), (3), or (6), the court shall order the person to
7 undergo screening and assessment by a person or agency designated
8 by the office of substance abuse services to determine whether
9 the person is likely to benefit from rehabilitative services,
10 including alcohol or drug education and alcohol or drug treatment
11 programs. As part of the sentence, the court may order the
12 person to participate in and successfully complete 1 or more
13 appropriate rehabilitative programs. The person shall pay for
14 the costs of the screening, reassessment, and rehabilitative
15 services.

16 (6) Immediately upon acceptance by the court of a plea of
17 guilty or nolo contendere or upon entry of a verdict of guilty
18 for a violation of section 625(1), (3), (4), (5), or (6) or a
19 local ordinance substantially corresponding to section 625(1),
20 (3), or (6), whether or not the person is eligible to be sen-
21 tenced as a multiple offender, the court shall consider all prior
22 convictions currently entered upon the person's Michigan driving
23 record, except convictions the court determines upon the
24 defendant's motion to be constitutionally invalid, and shall
25 impose the following licensing sanctions:

26 (a) For a conviction under section 625(4) or (5), the court
27 shall order the secretary of state to revoke the person's

1 operator's or chauffeur's license and shall not order the
2 secretary of state to issue a restricted license to the person.

3 (b) For a conviction under section 625(1) or a local ordi-
4 nance substantially corresponding to section 625(1):

5 (i) If the court finds that the person has no prior convic-
6 tions within 7 years for a violation of section 625(1), (3), (4),
7 or (5), former section 625(1) or (2), or former section 625b, a
8 local ordinance substantially corresponding to section 625(1) or
9 (3), former section 625(1) or (2) or former section 625b, or a
10 law of another state substantially corresponding to section
11 625(1), (3), (4), or (5), former section 625(1) or (2), or former
12 section 625b, the court shall order the secretary of state to
13 suspend the person's operator's or chauffeur's license for not
14 less than 6 months or more than 2 years. If the court finds com-
15 pelling circumstances under subsection (10) sufficient to warrant
16 the issuance of a restricted license to a person, the court may
17 order the secretary of state to issue to the person a restricted
18 license during all or a specified portion of the suspension,
19 except that a restricted license shall not be issued during the
20 first 30 days of the suspension.

21 (ii) If the court finds that the person has 1 prior convic-
22 tion within 7 years for a violation of section 625(3) or former
23 section 625b, a local ordinance substantially corresponding to
24 section 625(3) or former section 625b, or a law of another state
25 substantially corresponding to section 625(3) or former
26 section 625b, the court shall order the secretary of state to
27 suspend the person's operator's or chauffeur's license for not

1 less than 6 months or more than 2 years. If the court finds
2 compelling circumstances under subsection (10) sufficient to war-
3 rant the issuance of a restricted license to a person, the court
4 may order the secretary of state to issue to the person a
5 restricted license during all or any portion of the suspension,
6 except that a restricted license shall not be issued during the
7 first 60 days of the suspension. FURTHER, IF EITHER THE PRIOR OR
8 CURRENT CONVICTION OCCURRED AFTER OCTOBER 1, 1996 AND THE RECORD
9 OF THE CONVICTION CONTAINS A BREATH ALCOHOL CONTENT RECORD OF
10 0.20% OR MORE, THE COURT, FOR THE DURATION OF THE SUSPENSION AND
11 RESTRICTION PERIOD, SHALL DO ALL OF THE FOLLOWING:

12 (A) REQUIRE THAT THE ISSUANCE OF THE RESTRICTED LICENSE
13 INCLUDE THE INSTALLATION OF A FUNCTIONING IGNITION INTERLOCK
14 DEVICE THAT MEETS OR EXCEEDS THE MODEL SPECIFICATIONS OF THE
15 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION SET FORTH IN 57
16 F.R.P. 11772, APRIL 7, 1992, ON EACH MOTOR VEHICLE THE PERSON
17 OWNS OR INTENDS TO OPERATE, THE COSTS OF WHICH SHALL BE BORNE BY
18 THE PERSON WHOSE LICENSE IS RESTRICTED.

19 (B) REQUIRE THE DEVICE BE SET TO RENDER THE MOTOR VEHICLE
20 INOPERABLE IF THE DEVICE DETECTS AN ALCOHOL CONTENT OF 0.02 GRAMS
21 OR MORE PER 210 LITERS OF BREATH OF THE PERSON WHO OFFERS A
22 BREATH SAMPLE.

23 (C) ORDER THE SECRETARY OF STATE NOT TO ISSUE THE RESTRICTED
24 LICENSE UNTIL VERIFICATION OF INSTALLATION OF AN IGNITION INTER-
25 LOCK DEVICE IS RECEIVED BY THE SECRETARY OF STATE.

26 (D) REQUIRE PERIODIC MONITORING OF AN INSTALLED IGNITION
27 INTERLOCK DEVICE BY THE MANUFACTURER OR INSTALLER.

1 (E) REQUIRE THAT IF MONITORING INDICATES THE DEVICE HAS BEEN
2 CIRCUMVENTED, THAT FACT SHALL IMMEDIATELY BE COMMUNICATED TO THE
3 COURT AND THE SECRETARY OF STATE.

4 (iii) If the court finds that the person has 1 or more prior
5 convictions within 7 years for a violation of section 625(1),
6 (4), or (5) or former section 625(1) or (2), a local ordinance
7 substantially corresponding to section 625(1) or former section
8 625(1) or (2), or a law of another state substantially corre-
9 sponding to section 625(1), (4), or (5) or former section 625(1)
10 or (2), or that the person has 2 or more prior convictions within
11 10 years for a violation of section 625(1), (3), (4), or (5),
12 former section 625(1) or (2), or former section 625b, a local
13 ordinance substantially corresponding to section 625(1) or (3),
14 former section 625(1) or (2), or former section 625b, or a law of
15 another state substantially corresponding to section 625(1), (3),
16 (4), or (5), former section 625(1) or (2), or former section
17 625b, the court shall order the secretary of state to revoke the
18 person's operator's or chauffeur's license and shall not order
19 the secretary of state to issue a restricted license to the
20 person.

21 (c) For a conviction under section 625(3) or a local ordi-
22 nance substantially corresponding to section 625(3):

23 (i) If the court finds that the convicted person has no
24 prior conviction within 7 years for a violation of section
25 625(1), (3), (4), or (5), former section 625(1) or (2), or former
26 section 625b, a local ordinance substantially corresponding to
27 section 625(1) or (3), former section 625(1) or (2), or former

1 section 625b, or a law of another state substantially
2 corresponding to section 625(1), (3), (4), or (5), former section
3 625(1) or (2), or former section 625b, the court shall order the
4 secretary of state to suspend the person's operator's or
5 chauffeur's license for not less than 90 days or more than
6 1 year. However, if the person is convicted of a violation of
7 section 625(3) or a local ordinance substantially corresponding
8 to section 625(3) for operating a vehicle when, due to the con-
9 sumption of a controlled substance or a combination of intoxicat-
10 ing liquor and a controlled substance, the person's ability to
11 operate the vehicle was visibly impaired, the court shall order
12 the secretary of state to suspend the operator's or chauffeur's
13 license of the person for not less than 6 months or more than 1
14 year. If the court finds compelling circumstances under subsec-
15 tion (10) sufficient to warrant the issuance of a restricted
16 license to a person, the court may order the secretary of state
17 to issue to the person a restricted license during all or a spec-
18 ified portion of the suspension.

19 (ii) If the court finds that the person has 1 prior convic-
20 tion within 7 years for a violation of section 625(1), (3), (4),
21 or (5), former section 625(1) or (2), or former section 625b, a
22 local ordinance substantially corresponding to section 625(1) or
23 (3), former section 625(1) or (2), or former section 625b, or a
24 law of another state substantially corresponding to section
25 625(1), (3), (4), or (5), former section 625(1) or (2), or former
26 section 625b, the court shall order the secretary of state to
27 suspend the person's operator's or chauffeur's license for not

1 less than 6 months or more than 2 years. If the court finds
2 compelling circumstances under subsection (10) sufficient to war-
3 rant the issuance of a restricted license to a person, the court
4 may order the secretary of state to issue to the person a
5 restricted license during all or any portion of the suspension,
6 except that a restricted license shall not be issued during the
7 first 60 days of the suspension. FURTHER, IF EITHER THE PRIOR OR
8 CURRENT CONVICTION OCCURRED AFTER OCTOBER 1, 1996 AND THE RECORD
9 OF THE CONVICTION CONTAINS A BREATH ALCOHOL CONTENT RECORD OF
10 0.20% OR MORE, THE COURT, FOR THE DURATION OF THE SUSPENSION AND
11 RESTRICTION PERIOD, SHALL DO ALL OF THE FOLLOWING:

12 (A) REQUIRE THAT THE ISSUANCE OF THE RESTRICTED LICENSE
13 INCLUDE THE INSTALLATION OF A FUNCTIONING IGNITION INTERLOCK
14 DEVICE THAT MEETS OR EXCEEDS THE MODEL SPECIFICATIONS OF THE
15 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION SET FORTH IN 57
16 F.R.P. 11772, APRIL 7, 1992, ON EACH MOTOR VEHICLE THE PERSON
17 OWNS OR INTENDS TO OPERATE, THE COSTS OF WHICH SHALL BE BORNE BY
18 THE PERSON WHOSE LICENSE IS RESTRICTED.

19 (B) REQUIRE THE DEVICE BE SET TO RENDER THE MOTOR VEHICLE
20 INOPERABLE IF THE DEVICE DETECTS AN ALCOHOL CONTENT OF 0.02 GRAMS
21 OR MORE PER 210 LITERS OF BREATH OF THE PERSON WHO OFFERS A
22 BREATH SAMPLE.

23 (C) ORDER THE SECRETARY OF STATE NOT TO ISSUE THE RESTRICTED
24 LICENSE UNTIL VERIFICATION OF INSTALLATION OF AN IGNITION INTER-
25 LOCK DEVICE IS RECEIVED BY THE SECRETARY OF STATE.

26 (D) REQUIRE PERIODIC MONITORING OF AN INSTALLED IGNITION
27 INTERLOCK DEVICE BY THE MANUFACTURER OR INSTALLER.

1 (E) REQUIRE THAT IF MONITORING INDICATES THE DEVICE HAS BEEN
2 CIRCUMVENTED, THAT FACT SHALL IMMEDIATELY BE COMMUNICATED TO THE
3 COURT AND THE SECRETARY OF STATE.

4 (iii) If the court finds that the person has 2 or more prior
5 convictions within 10 years for a violation of section 625(1),
6 (3), (4), or (5), former section 625(1) or (2), or former section
7 625b, a local ordinance substantially corresponding to section
8 625(1) or (3), former section 625(1) or (2), or former section
9 625b, or a law of another state substantially corresponding to
10 section 625(1), (3), (4), or (5), former section 625(1) or (2),
11 or former section 625b, the court shall order the secretary of
12 state to revoke the person's operator's or chauffeur's license
13 and shall not order the secretary of state to issue a restricted
14 license to the person.

15 (d) For a conviction under section 625(6) or a local ordi-
16 nance substantially corresponding to section 625(6):

17 (i) If the court finds that the convicted person has no
18 prior conviction within 7 years for a violation of section
19 625(1), (3), (4), (5), or (6), former section 625(1) or (2), or
20 former section 625b, a local ordinance substantially correspond-
21 ing to section 625(1), (3), or (6), former section 625(1) or (2),
22 or former section 625b, or a law of another state substantially
23 corresponding to section 625(1), (3), (4), (5), or (6), former
24 section 625(1) or (2), or former section 625b, the court shall
25 order the secretary of state to suspend the operator's or
26 chauffeur's license of the person for not less than 30 days or
27 more than 90 days. The court may order the secretary of state to

1 issue to the person a restricted license during all or a
2 specified portion of the suspension.

3 (ii) If the court finds that the person has 1 or more prior
4 convictions within 7 years for a violation of section 625(1),
5 (3), (4), (5), or (6), former section 625(1) or (2), or former
6 section 625b, a local ordinance substantially corresponding to
7 section 625(1), (3), or (6), former section 625(1) or (2), or
8 former section 625b, or a law of another state substantially cor-
9 responding to section 625(1), (3), (4), (5), or (6), former sec-
10 tion 625(1) or (2), or former section 625b, the court shall order
11 the secretary of state to suspend the operator's or chauffeur's
12 license of the person for not less than 90 days or more than
13 1 year. The court may order the secretary of state to issue to
14 the person a restricted license during all or any portion of the
15 suspension, except that a restricted license shall not be issued
16 during the first 90 days of the suspension.

17 (7) A restricted license issued pursuant to an order under
18 subsection (6) shall permit the person to whom it is issued to
19 drive under 1 or more of the following circumstances:

20 (a) To and from the person's residence and work location.

21 (b) In the course of the person's employment or occupation.

22 (c) To and from the person's residence and an alcohol or
23 drug education or treatment program as ordered by the court.

24 (d) To and from the person's residence and the court proba-
25 tion department or a court-ordered community service program, or
26 both.

1 (e) To and from the person's residence and an educational
2 institution at which the person is enrolled as a student.

3 (f) To and from the person's residence or work location and
4 a place of regularly occurring medical treatment for a serious
5 condition for the person or a member of the person's household or
6 immediate family.

7 (G) TO AND FROM THE PERSON'S RESIDENCE AND THE SITE WHERE
8 MONITORING OF THE IGNITION INTERLOCK DEVICE TAKES PLACE.

9 (8) ~~The~~ EXCEPT FOR WHEN AN IGNITION INTERLOCK DEVICE IS
10 MANDATORY UNDER SUBSECTION (6), THE court may order that the
11 restricted license issued ~~pursuant to~~ UNDER subsection (6)
12 include the requirement that the person shall not operate a motor
13 vehicle unless the vehicle is equipped with a functioning igni-
14 tion interlock device. The device shall be set to render the
15 motor vehicle inoperable if the device detects an alcohol content
16 of 0.02 grams or more per 210 liters of breath of the person who
17 offers a breath sample. The court may order installation of an
18 ignition interlock device on any motor vehicle that the person
19 owns or operates, the costs of which the person whose license is
20 restricted shall bear. THE COURT SHALL NOT ORDER THE INSTALLA-
21 TION OF AN IGNITION INTERLOCK DEVICE UNLESS THE MANUFACTURER OF
22 THE DEVICE HAS COMPLIED WITH SECTION 625K.

23 (9) The court shall not order the secretary of state under
24 subsection (6) to issue a restricted license that would permit a
25 person to operate a commercial motor vehicle that hauls hazardous
26 materials.

1 (10) The court shall not order the secretary of state to
2 issue a restricted license unless the person states under oath,
3 and the court finds pursuant to testimony taken in open court or
4 pursuant to statements contained in a sworn affidavit on a form
5 prescribed by the state court administrator, that both of the
6 following are true:

7 (a) The person needs vehicular transportation to and from
8 his or her work location, SITE WHERE MONITORING OF THE IGNITION
9 INTERLOCK DEVICE TAKES PLACE, place of alcohol or drug education
10 treatment, court probation department, court-ordered community
11 service program, or educational institution, or a place of regu-
12 larly occurring medical treatment for a serious condition, or in
13 the course of the person's employment or occupation.

14 (b) The person is unable to take public transportation and
15 does not have any family members or other individuals able to
16 provide transportation to a destination or for a purpose
17 described in subdivision (a).

18 (11) The court order issued under subsection (6) and the
19 restricted license shall indicate the permitted destinations of
20 the person or the permitted purposes for which the person may
21 operate a vehicle, the approved route or routes if specified by
22 the court, and permitted times of travel.

23 (12) Immediately upon acceptance by the court of a plea of
24 guilty or nolo contendere or upon entry of a verdict of guilty
25 for a violation of section 625(1), (3), (4), (5), or (6) or a
26 local ordinance substantially corresponding to section 625(1),
27 (3), or (6), the person shall surrender to the court his or her

1 operator's or chauffeur's license or permit. The court shall
2 immediately destroy the license or permit and forward an abstract
3 of conviction with court-ordered license sanctions to the secre-
4 tary of state. Upon receipt of, and pursuant to, the abstract of
5 conviction with court-ordered license sanctions, the secretary of
6 state shall suspend or revoke the person's license and, if
7 ordered by the court and the person is otherwise eligible for a
8 license, issue to the person a restricted license stating the
9 limited driving privileges indicated on the abstract. If the
10 judgment and sentence is appealed to circuit court, the court may
11 ex parte order the secretary of state to stay the suspension,
12 revocation, or restricted license issued pursuant to this section
13 pending the outcome of the appeal.

14 (13) In addition to any other suspension or revocation
15 ordered under this section and as part of the sentence imposed
16 upon a person who violates section 625(1), (3), (4), or (5) or a
17 local ordinance substantially corresponding to section 625(1) or
18 (3) while operating a commercial motor vehicle, the court shall
19 order the secretary of state to suspend the vehicle group desig-
20 nations on the person's operator's or chauffeur's license in
21 accordance with section 319b(1)(c). If the vehicle was trans-
22 porting hazardous material required to have a placard pursuant to
23 49 C.F.R. parts 100 to 199, the court shall order the secretary
24 of state to suspend the vehicle group designations on the
25 person's operator's or chauffeur's license in accordance with
26 section 319b(1)(d). The court shall not order the secretary of

1 state to issue a restricted license that would permit the person
2 to operate a commercial motor vehicle.

3 (14) In addition to any other suspension or revocation
4 ordered under this section and as part of the sentence imposed
5 upon a person who is convicted of a violation of section 625(1),
6 (3), (4), or (5) or a local ordinance substantially corresponding
7 to section 625(1) or (3) while operating a commercial motor vehi-
8 cle within 10 years of a prior conviction, the court shall order
9 the secretary of state to revoke the vehicle group designations
10 on the person's operator's or chauffeur's license in accordance
11 with section 319b(1)(e). The court shall not order the secretary
12 of state to issue a restricted license that would permit the
13 person to operate a commercial motor vehicle. As used in this
14 subsection, "prior conviction" means a conviction under section
15 625(1), (3), (4), or (5), former section 625(1) or (2), or former
16 section 625b, a local ordinance substantially corresponding to
17 section 625(1) or (3), former section 625(1) or (2), or former
18 section 625b, or a law of another state substantially correspond-
19 ing to section 625(1), (3), (4), or (5), former section 625(1) or
20 (2), or former section 625b involving the operation of a commer-
21 cial motor vehicle, or a conviction under section 625m, a local
22 ordinance substantially corresponding to section 625m, or a law
23 of another state substantially corresponding to section 625m.

24 (15) As used in this section, "work location" means, as
25 applicable, the specific place or places of employment or the
26 territory or territories regularly visited by the person in
27 pursuance of the person's occupation, or both.

1 Sec. 625h. (1) The drunk driving prevention equipment and
2 training fund is created as a separate fund in the state
3 treasury. Money in the fund shall be expended only as provided
4 in subsection (2). The state treasurer shall credit to the fund
5 all money received for that purpose under section 320e, and as
6 otherwise provided by law. The state treasurer shall invest
7 money in the fund in the same manner as surplus funds are
8 invested under section ~~+43-~~ 3 of Act No. 105 of the Public Acts
9 of ~~+985-~~ 1855, being section 21.143 of the Michigan Compiled
10 Laws. Earnings from the fund shall be credited to the fund.
11 Money in the fund at the end of the fiscal year shall remain in
12 the fund, and shall not revert to the general fund.

13 (2) The department of state police shall administer the
14 fund. Money in the fund shall be used only to administer the
15 fund, to purchase and maintain breath alcohol testing equipment,
16 and to provide training to law enforcement personnel of this
17 state in the use of that breath alcohol testing equipment.

18 (3) The department of treasury shall, before November 1 of
19 each year, notify the department of state police of the balance
20 in the fund at the close of the preceding fiscal year.

21 (4) The department of state police shall promulgate rules to
22 implement subsection (2).

23 (5) The drunk driving caseflow assistance fund is created as
24 a separate fund in the state treasury. The purpose of the fund
25 is to promote the timely disposition of cases in which the
26 defendant is charged with a violation of section 625(1) or (3) of
27 this act, section 15a(1) or (3) of the Michigan snowmobile act,

1 Act No. 74 of the Public Acts of 1968, being section 257.1515a of
2 the Michigan Compiled Laws, or section 171(1) or (3) of the
3 marine safety act, Act No. 303 of the Public Acts of 1967, being
4 section 281.1171 of the Michigan Compiled Laws, or a local ordi-
5 nance substantially corresponding to section 625(1) or (3) of
6 this act, section 15a(1) or (3) of Act No. 74 of the Public Acts
7 of 1968, or section 171(1) or (3) of Act No. 303 of the Public
8 Acts of 1967. Money in the fund shall be expended only as pro-
9 vided in subsection (7).

10 (6) The state treasurer shall credit the drunk driving case-
11 flow assistance fund with deposits of proceeds from the collec-
12 tion of revenue from license reinstatement fees as provided for
13 in section 320e, and all income from investment credited to the
14 fund by the state treasurer. The state treasurer may invest
15 money contained in the drunk driving caseflow assistance fund in
16 any manner authorized by law for the investment of state money.
17 However, an investment shall not interfere with any apportion-
18 ment, allocation, or payment of money as required by this
19 section. The state treasurer shall credit to the fund all income
20 earned as a result of an investment. Money in the fund at the
21 end of the fiscal year shall remain in the fund and shall not
22 revert to the general fund.

23 (7) The state court administrator, at the direction of the
24 supreme court and upon confirmation of the amount by the state
25 treasurer, shall distribute from the drunk driving caseflow
26 assistance fund the total amount available in a fiscal year to
27 each district of the district court and each municipal court as

1 provided in this section. The state court administrator, after
2 reimbursement of costs as provided in this subsection, shall dis-
3 tribute the balance of the drunk driving caseflow assistance fund
4 annually to each district of the district court and each municipi-
5 pal court in an amount determined by multiplying the amount
6 available for distribution by a fraction, the numerator of which
7 is the number of cases in which the defendant was charged with a
8 violation of section 625(1) or (3) of this act, section 15a(1) or
9 (3) of Act No. 74 of the Public Acts of 1968, or section 171(1)
10 or (3) of Act No. 303 of the Public Acts of 1967 or a local ordi-
11 nance substantially corresponding to section 625(1) or (3) of
12 this act, section 15a(1) or (3) of Act No. 74 of the Public Acts
13 of 1968, or section 171(1) or (3) of Act No. 303 of the Public
14 Acts of 1967 in the prior calendar year in that district of the
15 district court or that municipal court as certified by the state
16 court administrator and the denominator of which is the total
17 number of cases in all districts of the district court and all
18 municipal courts in which the defendant was charged with a viola-
19 tion of section 625(1) or (3) of this act, section 15a(1) or (3)
20 of Act No. 74 of the Public Acts of 1968, or section 171(1) or
21 (3) of Act No. 303 of the Public Acts of 1967 or a local ordi-
22 nance substantially corresponding to section 625(1) or (3) of
23 this act, section 15a(1) or (3) of Act No. 74 of the Public Acts
24 of 1968, or section 171(1) or (3) of Act No. 303 of the Public
25 Acts of 1967 in the calendar year. The state court administra-
26 tive office shall be reimbursed annually from the drunk driving
27 caseflow assistance fund for all reasonable costs associated with

1 the administration of this section, including judicial and staff
2 training, on-site management assistance, and software development
3 and conversion.

4 (8) AN INSTALLER OF IGNITION INTERLOCK DEVICES SHALL PROVIDE
5 AN IGNITION INTERLOCK DEVICE WITHOUT COST TO A PERSON WHOSE GROSS
6 INCOME FOR THE IMMEDIATELY PRECEDING TAX YEAR BASED ON HIS OR HER
7 STATE INCOME TAX RETURN WAS MORE THAN 100% BUT LESS THAN 150% OF
8 THE OFFICIAL POVERTY LINE FOR THAT SAME TAX YEAR ESTABLISHED IN
9 THE POVERTY GUIDELINES ISSUED BY THE SECRETARY OF HEALTH AND
10 HUMAN SERVICES UNDER AUTHORITY OF SECTION 673(2) OF THE COMMUNITY
11 SERVICES BLOCK GRANT ACT, SUBTITLE B OF TITLE VI OF THE ONMIBUS
12 BUDGET RECONCILIATION ACT OF 1981, PUBLIC LAW 97-35, 42
13 U.S.C. 9902. A PERSON IN WHOSE VEHICLE AN IGNITION INTERLOCK
14 DEVICE IS INSTALLED WITHOUT COST UNDER THIS SUBSECTION SHALL PAY
15 A MAINTENANCE FEE TO THE INSTALLER OF NOT TO EXCEED \$1.00 PER
16 DAY.

17 Sec. 625k. (1) The department shall approve an ignition
18 interlock device certified by a department-approved laboratory as
19 complying with the national highway traffic safety
20 administration's model specifications for breath alcohol ignition
21 interlock devices (BAIID), 57 F.R.P. 11772,
22 ~~←~~ April 7, 1992. ~~→~~ Subject to subsection (4), the department
23 shall publish a list of all manufacturers of approved certified
24 devices.

25 (2) The manufacturer of an ignition interlock device shall
26 bear the cost of that device's certification.

1 (3) A laboratory that certifies an ignition interlock device
2 as provided in this section shall immediately notify the
3 department of that certification.

4 (4) The department shall not include the manufacturer of a
5 certified ignition interlock device on the list of manufacturers
6 published pursuant to subsection (1) unless the manufacturer has
7 filed COPIES OF ALL OF THE FOLLOWING with the department: ~~copies~~
8 ~~of an affidavit that the ignition interlock device is both of the~~
9 ~~following:~~

10 (A) A BOND EXECUTED AS PROVIDED IN SECTION 625o.

11 (B) EVIDENCE OF INSURANCE AS DESCRIBED IN SECTION 625N.

12 (C) AN AFFIDAVIT THAT THE IGNITION INTERLOCK DEVICE IS BOTH
13 OF THE FOLLOWING:

14 (i) ~~(a)~~ An alcohol concentration measuring device that
15 prevents a motor vehicle from being started at any time without
16 first determining through a deep lung sample the operator's
17 breath alcohol level.

18 (ii) ~~(b)~~ Calibrated to prevent the motor vehicle from
19 starting if the operator's breath alcohol level reaches a level
20 of 0.02 grams per 210 liters of breath as measured by the test.

21 (5) A manufacturer that has made a filing under subsection
22 (4) shall immediately notify the department if the device no
23 longer meets the requirements of subsection (4).

24 (6) The department shall notify the courts of a notice
25 received under subsection (5). If a court receives the notifica-
26 tion required by this subsection, the court shall not order
27 installation of the ignition interlock device described in the

1 notice, and shall order the replacement or removal of any of
2 those ignition interlock devices installed pursuant to a previous
3 order.

4 (7) A manufacturer shall provide to each person who has a
5 court-ordered ignition interlock device a copy of the information
6 filed with the department under subsection (4)(a) and (b). A
7 person who violates this subsection is guilty of a misdemeanor,
8 punishable by imprisonment for not more than 1 year, or a fine of
9 not more than \$1,000.00, or both, together with costs of the
10 prosecution.

11 (8) A person who knowingly provides false information to the
12 department under subsection (2) or (4) is guilty of a felony,
13 punishable by imprisonment for not less than 5 years or more than
14 10 years, or a fine of not less than \$5,000.00 or more than
15 \$10,000.00, or both, together with costs of the prosecution.

16 (9) A person who negligently provides false information to
17 the department under subsection (3) or (4) is guilty of a misde-
18 meanor, punishable by imprisonment for not more than 1 year, or a
19 fine of not more than \$1,000.00, or both, together with costs of
20 the prosecution.

21 (10) A person who knowingly fails to comply with
22 subsection (5) is guilty of a felony, punishable by imprisonment
23 for not less than 5 years or more than 10 years, or a fine of not
24 less than \$5,000.00 or more than \$10,000.00, or both, together
25 with costs of the prosecution.

26 (11) A person who negligently fails to comply with
27 subsection (5) is guilty of a misdemeanor, punishable by

1 imprisonment for not more than 1 year, or a fine of not more than
2 \$1,000.00, or both, together with costs of the prosecution.

3 Sec. 625l. (1) The manufacturer of an ignition interlock
4 device shall design a warning label, and the person who has a
5 ~~court-ordered~~ COURT OR HEARING OFFICER ORDERED ignition inter-
6 lock device shall promptly affix that label to each ignition
7 interlock device upon installation. The label shall contain a
8 warning that any person tampering, circumventing, or otherwise
9 misusing the device is guilty of a misdemeanor punishable as pro-
10 vided by law.

11 (2) A person who has a ~~court-ordered~~ COURT OR HEARING
12 OFFICER ORDERED ignition interlock device installed and whose
13 driving privilege is restricted pursuant to section 625b OR BY A
14 HEARING OFFICER shall not request or solicit any other person to
15 blow into an ignition interlock device or to start a vehicle
16 equipped with the device for the purpose of providing the person
17 whose driving privilege is restricted with an operable vehicle.

18 (3) A person shall not blow into an ignition interlock
19 device or start a motor vehicle equipped with the device for the
20 purpose of providing an operable vehicle to a person who has a
21 ~~court-ordered~~ COURT OR HEARING OFFICER ORDERED interlock device
22 installed and whose driving privilege is restricted pursuant to
23 section 625b OR BY A HEARING OFFICER.

24 (4) A person shall not tamper with or circumvent the opera-
25 tion of an ignition interlock device.

26 (5) A person who violates ~~this section~~ SUBSECTION (2),
27 (3), OR (4) is guilty of a misdemeanor punishable by imprisonment

1 for not more than 6 months or a fine of not more than \$5,000.00,
2 or both.

3 (6) As used in this ~~section and sections 625b and 625k~~
4 ACT, "ignition interlock device" or "device" means an alcohol
5 concentration measuring device that prevents a motor vehicle from
6 being started at any time without first determining through a
7 deep lung sample the operator's breath alcohol level. The system
8 shall be calibrated so that the motor vehicle may not be started
9 if the breath alcohol level of the operator, as measured by the
10 test, reaches a level of 0.02 grams per 210 liters of breath.

11 (7) THE STATE, OR THE DEPARTMENT, ITS OFFICERS, EMPLOYEES,
12 OR AGENTS ARE NOT LIABLE IN ANY CLAIM OR ACTION THAT MAY ARISE,
13 DIRECTLY OR INDIRECTLY, OUT OF ANY ACT OR OMISSION BY A MANUFAC-
14 Turer, INSTALLER, OR SERVICING AGENT OF AN IGNITION INTERLOCK
15 DEVICE THAT RESULTS IN DAMAGE TO PERSONS OR PROPERTY.

16 (8) A PERSON SHALL NOT SELL, LEASE, OR INSTALL IN A VEHICLE
17 IN THIS STATE AN IGNITION INTERLOCK DEVICE UNLESS THE IGNITION
18 INTERLOCK DEVICE MANUFACTURER AND PROVIDER CARRIES LIABILITY
19 INSURANCE COVERING PRODUCT LIABILITY, INCLUDING, BUT NOT LIMITED
20 TO, INSURANCE TO INDEMNIFY THE DEPARTMENT AND ANY PERSON INJURED
21 AS A RESULT OF A DESIGN DEFECT OR THE CALIBRATION OR REMOVAL OF
22 THE IGNITION INTERLOCK DEVICE OR A MISREPRESENTATION ABOUT THE
23 IGNITION INTERLOCK DEVICE. THE INSURANCE REQUIRED BY THIS SUB-
24 SECTION SHALL BE IN AN AMOUNT OF NOT LESS THAN \$1,000,000.00 PER
25 INCIDENT.

26 (9) THE PROVIDER OF INSURANCE DESCRIBED IN THIS SECTION MAY
27 CANCEL THE INSURANCE UPON 30 DAYS' WRITTEN NOTICE TO THE

1 DEPARTMENT AND IS NOT LIABLE FOR A CLAIM ARISING FROM AN EVENT
2 THAT OCCURS AFTER THE EFFECTIVE DATE OF A CANCELLATION MADE IN
3 COMPLIANCE WITH THIS SECTION.

4 (10) AN IGNITION INTERLOCK DEVICE SHALL BE SERVICED AT
5 INTERVALS NOT TO EXCEED 60 DAYS. SERVICE SHALL INCLUDE, BUT NOT
6 BE LIMITED TO, PHYSICAL INSPECTION OF THE DEVICE AND VEHICLE FOR
7 TAMPERING CALIBRATION OF THE DEVICE AND MONITORING OF THE DATA
8 CONTAINED WITHIN THE DEVICE'S MEMORY. IF THE VEHICLE AND DEVICE
9 ARE NOT SERVICED AS REQUIRED, THE INSTALLER SHALL REPORT NONCOM-
10 PLIANCE TO THE APPROPRIATE COURT PERSONNEL WITHIN 48 HOURS. ONLY
11 AUTHORIZED EMPLOYEES OF THE MANUFACTURER OR THE DEPARTMENT MAY
12 OBSERVE THE INSTALLATION OF A DEVICE. REASONABLE SECURITY MEA-
13 SURES MUST BE TAKEN TO PREVENT THE CUSTOMER FROM OBSERVING THE
14 INSTALLATION OF A DEVICE OR OBTAINING ACCESS TO INSTALLATION
15 MATERIALS.

16 SEC. 625N. (1) A PERSON SHALL NOT SELL, LEASE, OR INSTALL
17 IN A VEHICLE IN THIS STATE AN IGNITION INTERLOCK DEVICE UNLESS
18 THE IGNITION INTERLOCK DEVICE MANUFACTURER CARRIES LIABILITY
19 INSURANCE COVERING PRODUCT LIABILITY, INCLUDING, BUT NOT LIMITED
20 TO, INSURANCE TO INDEMNIFY THE DEPARTMENT AND ANY PERSON INJURED
21 AS A RESULT OF A MALFUNCTION OR DESIGN DEFECT OF THE IGNITION
22 INTERLOCK DEVICE OR A MISREPRESENTATION ABOUT THE IGNITION INTER-
23 LOCK DEVICE.

24 (2) THE INSURANCE REQUIRED BY SUBSECTION (1) SHALL BE IN AN
25 AMOUNT OF NOT LESS THAN \$1,000,000.00 PER INCIDENT.

26 (3) THE PROVIDER OF INSURANCE DESCRIBED IN THIS SECTION MAY
27 CANCEL THE INSURANCE UPON 30 DAYS' WRITTEN NOTICE TO THE

1 DEPARTMENT AND IS NOT LIABLE FOR A CLAIM ARISING FROM AN EVENT
2 THAT OCCURS AFTER THE EFFECTIVE DATE OF A CANCELLATION MADE IN
3 COMPLIANCE WITH THIS SECTION.

4 SEC. 6250. (1) A PERSON SHALL NOT SELL, LEASE, OR INSTALL
5 IN A VEHICLE IN THIS STATE AN IGNITION INTERLOCK DEVICE UNLESS
6 THE MANUFACTURER OF THE DEVICE HAS OBTAINED AN EXECUTED BOND
7 DESCRIBED IN SUBSECTION (2) OR A RENEWAL CERTIFICATE FOR THAT
8 BOND.

9 (2) THE BOND REQUIRED UNDER SUBSECTION (1) SHALL BE IN THE
10 AMOUNT OF \$50,000.00 WITH A SURETY APPROVED BY THE DEPARTMENT AND
11 SHALL BE CONDITIONED TO INDEMNIFY OR REIMBURSE A PERSON WHO HAS
12 AN IGNITION INTERLOCK DEVICE INSTALLED ON HIS OR HER VEHICLE FOR
13 MONETARY LOSS CAUSED BY THE MANUFACTURER'S FRAUD, CHEATING, MIS-
14 REPRESENTATION, OR DEFAULTING ON A CONTRACTUAL OBLIGATION,
15 WHETHER THE FRAUD, CHEATING, MISREPRESENTATION, OR DEFAULTING WAS
16 DONE BY THE MANUFACTURER OR BY AN EMPLOYEE OR AGENT OF THE
17 MANUFACTURER.

18 (3) THE SURETY ON THE BOND DESCRIBED IN SUBSECTION (2) IS
19 REQUIRED TO MAKE INDEMNIFICATION OR REIMBURSEMENT FOR A MONETARY
20 LOSS ONLY AFTER FINAL JUDGMENT HAS BEEN ENTERED IN A COURT OF
21 RECORD AGAINST THE MANUFACTURER OR AN EMPLOYEE OR AGENT OF THE
22 MANUFACTURER. THE SURETY ON THE BOND MAY CANCEL THE BOND UPON 30
23 DAYS' WRITTEN NOTICE TO THE DEPARTMENT AND IS NOT LIABLE FOR A
24 LOSS ARISING FROM AN EVENT THAT OCCURS AFTER THE EFFECTIVE DATE
25 OF THE CANCELLATION.

26 SEC. 625P. THE SECRETARY OF STATE SHALL ENTER INTO A
27 CONTRACT WITH THE UNIVERSITY OF MICHIGAN TRANSPORTATION RESEARCH

1 INSTITUTE, IN WHICH THE UNIVERSITY OF MICHIGAN TRANSPORTATION
2 RESEARCH INSTITUTE SHALL EVALUATE THE EFFECT AND IMPACT OF THE
3 1995 AMENDATORY ACT THAT ADDED THIS SECTION ADDRESSING DRIVING ON
4 A RESTRICTED LICENSE WITH AN IGNITION INTERLOCK DEVICE IN THIS
5 STATE AND REPORT ITS FINDINGS TO THE GOVERNOR AND THE LEGISLATURE
6 NOT LATER THAN DECEMBER 31, 1998. THE CIRCUIT COURTS, DISTRICT
7 COURTS, PROBATE COURTS, MUNICIPAL COURTS, AND LOCAL UNITS OF GOV-
8 ERNMENT IN THIS STATE SHALL COOPERATE WITH THE SECRETARY OF STATE
9 TO PROVIDE INFORMATION NECESSARY FOR THE PREPARATION OF THE
10 REPORT.

11 Section 2. This amendatory act shall take effect October 1,
12 1996.