

# Legislative Analysis



## **PENALTY FOR DRIVING WITH EXPIRED LICENSE**

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4721 as introduced**  
**Sponsor: Rep. Beau Matthew LaFave**  
**Committee: Transportation**  
**Complete to 5-13-20**

Analysis available at  
<http://www.legislature.mi.gov>

### **SUMMARY:**

House Bill 4721 would amend section 301 of the Michigan Vehicle Code to revise the penalties for driving with an expired license.

Section 301 currently, among other things, prohibits driving a vehicle on a public highway without a valid operator's or chauffeur's license that has appropriate group designation and endorsements. Violation is a misdemeanor punishable by imprisonment for up to 90 days or a fine of up to \$100, or both.

Under the bill, a person driving on a Michigan highway without a valid license would be responsible for a civil infraction and would have to pay a civil fine of \$330 if the license was expired at the time of the violation and he or she was eligible to renew it. However, the civil fine would be waived if he or she renewed the license within 60 days after the violation.

For a second or subsequent offense of driving with an expired license, a person would be guilty of a misdemeanor punishable by imprisonment for up to 90 days or a fine of \$500, or both, if the license was expired at the time of the violation and he or she was eligible to renew it.

MCL 257.301

### **FISCAL IMPACT:**

House Bill 4721 would have an indeterminate fiscal impact on the state and on local units of government. The number of convictions that would result under provisions of the bill is not known. Under section 909(1) of the Michigan Vehicle Code, any increase in revenue received from payment of civil infractions would be applied to the support of public and county law libraries. New misdemeanor convictions under the bill would increase costs related to county jails and/or local misdemeanor probation supervision. Costs of local incarceration in county jails and local misdemeanor probation supervision, and how those costs are financed, vary by jurisdiction. Any increase in penal fine revenue also would be applied to the support of public and county law libraries. The fiscal impact on local court systems would depend on how the bill affected court caseloads and the related administrative costs.

The bill would also result in a marginal increase in revenue to the state and to local units of government to the extent that it may encourage drivers to renew their driver license and pay the license renewal fee or renewal late fee who would not have otherwise done so or done so in such a timely manner.

Renewal fee revenue is allocated to the state's general fund, counties and municipalities, the Traffic Law Enforcement and Safety Fund, and the Transportation Economic Development Fund.

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