

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.303 Operator's or chauffeur's license; issuance; prohibitions; revocation; denial of license; multiple convictions or civil infractions; "felony in which a motor vehicle was used" defined.

Sec. 303. (1) The secretary of state shall not issue a license under this act to any of the following individuals:

- (a) An individual, as an operator, who is less than 18 years of age, except as otherwise provided in this act.
- (b) An individual, as a chauffeur, who is less than 18 years of age, except as otherwise provided in this act.
- (c) An individual whose license is suspended, revoked, denied, or canceled in any state. If the suspension, revocation, denial, or cancellation is not from the jurisdiction that issued the last license to the individual, the secretary of state may issue a license after the expiration of 5 years from the effective date of the most recent suspension, revocation, denial, or cancellation.
- (d) An individual who in the opinion of the secretary of state is afflicted with or suffering from a physical or mental disability or disease that prevents the individual from exercising reasonable and ordinary control over a motor vehicle while operating the motor vehicle on the highways.
- (e) An individual who is unable to understand highway warning or direction signs in the English language.
- (f) An individual who is unable to pass a knowledge, skill, or ability test administered by the secretary of state in connection with issuing an original operator's or chauffeur's license, original motorcycle indorsement, or an original or renewal of a vehicle group designation or vehicle indorsement.
- (g) A nonresident, including, but not limited to, a foreign exchange student.
- (h) An individual who has failed to answer a citation or notice to appear in court or for any matter pending or fails to comply with an order or judgment of the court, including, but not limited to, paying all fines, costs, fees, and assessments, in violation of section 321a, until that individual answers the citation or notice to appear in court or for any matter pending or complies with an order or judgment of the court, including, but not limited to, paying all fines, costs, fees, and assessments, as provided under section 321a.
- (i) An individual not licensed under this act who has been convicted of, has received a juvenile disposition for, or has been determined responsible for a crime or civil infraction described in section 319, 324, or 904. An individual shall be denied a license under this subdivision for the length of time corresponding to the period of the licensing sanction that would have been imposed under section 319, 324, or 904 if the individual had been licensed at the time of the violation.
- (j) An individual not licensed under this act who is determined to have violated section 624a or 624b. The individual shall be denied a license under this subdivision for a period of time that corresponds to the period of the licensing sanction that would have been imposed under those sections had the individual been licensed at the time of the violation.
- (k) An individual whose commercial driver license application is canceled under section 324(2).
- (l) Unless otherwise eligible under section 307(1), an individual who is not a citizen of the United States.
- (2) On receiving the appropriate records of conviction, the secretary of state shall revoke the operator's or chauffeur's license of an individual and deny issuance of an operator's or chauffeur's license to an individual who has any of the following, whether under a law of this state, a local ordinance that substantially corresponds to a law of this state, a law of another state that substantially corresponds to a law of this state, or, beginning October 31, 2010, a law of the United States that substantially corresponds to a law of this state:
 - (a) Any combination of 2 convictions within 7 years for reckless driving in violation of section 626 before October 31, 2010 or, beginning October 31, 2010, 626(2).
 - (b) Any combination of 2 or more convictions within 7 years for any of the following:
 - (i) A felony in which a motor vehicle was used.
 - (ii) A violation or attempted violation of section 601b(2) or (3), section 601c(1) or (2), section 602a(4) or (5), section 617, section 653a(3) or (4), or section 904(4) or (5).
 - (iii) Negligent homicide, manslaughter, or murder that results from the operation of a vehicle or an attempt to commit any of those crimes.
 - (iv) A violation or attempted violation of section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.
 - (c) Any combination of 2 convictions within 7 years for any of the following or a combination of 1 conviction for a violation or attempted violation of section 625(6) and 1 conviction for any of the following within 7 years:
 - (i) A violation or attempted violation of section 625, except a violation of section 625(2), or a violation of any prior enactment of section 625 in which the defendant operated a vehicle while under the influence of

intoxicating or alcoholic liquor or a controlled substance, or a combination of intoxicating or alcoholic liquor and a controlled substance, or while visibly impaired, or with an unlawful bodily alcohol content.

(ii) A violation or attempted violation of section 625m.

(iii) A violation or attempted violation of former section 625b.

(d) One conviction for a violation or attempted violation of section 315(5), section 601b(3), section 601c(2), section 602a(4) or (5), section 617, section 625(4) or (5), section 653a(4), section 904(4) or (5), or, beginning October 31, 2010, section 626(3) or (4).

(e) One conviction of negligent homicide, manslaughter, or murder that results from the operation of a vehicle or an attempt to commit any of those crimes.

(f) One conviction for a violation or attempted violation of section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

(g) Any combination of 3 convictions within 10 years for any of the following or 1 conviction for a violation or attempted violation of section 625(6) and any combination of 2 convictions for any of the following within 10 years, if any of the convictions resulted from an arrest on or after January 1, 1992:

(i) A violation or attempted violation of section 625, except a violation of section 625(2), or a violation of any prior enactment of section 625 in which the defendant operated a vehicle while under the influence of intoxicating or alcoholic liquor or a controlled substance, or a combination of intoxicating or alcoholic liquor and a controlled substance, or while visibly impaired, or with an unlawful bodily alcohol content.

(ii) A violation or attempted violation of section 625m.

(iii) A violation or attempted violation of former section 625b.

(3) The secretary of state shall revoke a license under subsection (2) notwithstanding a court order unless the court order complies with section 323.

(4) Except as otherwise provided under section 304, the secretary of state shall not issue a license under this act to an individual whose license has been revoked under this act or revoked and denied under subsection (2) until all of the following occur, as applicable:

(a) The later of the following:

(i) The expiration of not less than 1 year after the license was revoked or denied.

(ii) The expiration of not less than 5 years after the date of a subsequent revocation or denial occurring within 7 years after the date of any prior revocation or denial.

(b) For a denial under subsection (2)(a), (b), (c), and (g), the individual rebuts by clear and convincing evidence the presumption that results from the prima facie evidence that the individual is a habitual offender. The convictions that resulted in the revocation and denial constitute prima facie evidence that the individual is a habitual offender.

(c) The individual meets the requirements of the department.

(5) The secretary of state shall deny issuing a vehicle group designation to an individual under either of the following circumstances:

(a) The individual has been disqualified by the United States Secretary of Transportation from operating a commercial motor vehicle.

(b) Beginning on and after January 30, 2012, the individual does not meet the requirements of the federal regulations under 49 CFR parts 383 and 391 by refusing to certify the type of commercial motor vehicle operation the individual intends to perform and, if required, fails to present to the secretary of state a valid medical certification.

(6) Multiple convictions or civil infraction determinations that result from the same incident must be treated as a single violation for purposes of denial or revocation of a license under this section.

(7) As used in this section, "felony in which a motor vehicle was used" means a felony during the commission of which the individual operated a motor vehicle and while operating the vehicle presented real or potential harm to individuals or property and 1 or more of the following circumstances existed:

(a) The vehicle was used as an instrument of the felony.

(b) The vehicle was used to transport a victim of the felony.

(c) The vehicle was used to flee the scene of the felony.

(d) The vehicle was necessary for the commission of the felony.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1961, Act 123, Eff. Sept. 8, 1961;—Am. 1978, Act 139, Eff. May 1, 1979;—Am. 1978, Act 391, Eff. Jan. 15, 1979;—Am. 1980, Act 515, Eff. Apr. 1, 1981;—Am. 1982, Act 310, Eff. Mar. 30, 1983;—Am. 1983, Act 216, Imd. Eff. Nov. 11, 1983;—Am. 1988, Act 346, Eff. Jan. 1, 1990;—Am. 1991, Act 98, Eff. Jan. 1, 1992;—Am. 1993, Act 359, Eff. Sept. 1, 1994;—Am. 1994, Act 449, Eff. May 1, 1995;—Am. 1996, Act 387, Eff. Apr. 1, 1997;—Am. 1996, Act 493, Eff. Apr. 1, 1997;—Am. 1996, Act 587, Eff. June 1, 1997;—Am. 1998, Act 351, Eff. Oct. 1, 1999;—Am. 1999, Act 73, Eff. Oct. 1, 1999;—Am. 2000, Act 460, Eff. Mar. 28, 2001;—Am. 2001, Act 103, Eff. Oct. 1, 2001;—Am. 2001, Act 159, Eff. Feb. 1, 2002;—Am. 2002, Act 422, Eff. Oct. 1, 2002;—Am. 2003, Act 61, Eff. Sept. 30, 2003;—Am. 2004, Act 362, Imd. Eff. Oct. 4, 2004;—Am. 2005, Act 142, Imd. Eff. Sept. 29, 2005.
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2005;—Am. 2006, Act 298, Imd. Eff. July 20, 2006;—Am. 2008, Act 7, Imd. Eff. Feb. 15, 2008;—Am. 2008, Act 462, Eff. Oct. 31, 2010;—Am. 2008, Act 463, Eff. Oct. 31, 2010;—Am. 2010, Act 155, Eff. Jan. 1, 2011;—Am. 2011, Act 159, Imd. Eff. Sept. 30, 2011;—Am. 2012, Act 306, Imd. Eff. Oct. 1, 2012;—Am. 2012, Act 498, Eff. Mar. 28, 2013;—Am. 2020, Act 376, Eff. Oct. 1, 2021;—Am. 2024, Act 42, Eff. Apr. 2, 2025.

Compiler's note: Section 2 of Act 310 of 1982 provides: “All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory act, or initiated after the effective date of this amendatory act for an offense committed before that effective date.”

Section 2 of Act 346 of 1988 provides:

“(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

“(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

“(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act.”

Section 2 of Act 173 of 1989 provides:

“(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

“(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed.”