

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

***** 257.320e.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2024 REGULAR SESSION SINE DIE *****

257.320e.amended Payment of reinstatement fee for suspended, revoked, or restricted operator's or chauffeur's license; waiver of fee; assessment of points and licensing action by secretary of state; judicial review of administrative licensing sanction.

Sec. 320e. (1) Except as otherwise provided in subsection (2) or (3), an individual whose operator's or chauffeur's license is suspended, revoked, or restricted under section 303, 319, 320, 324, 625, 625b, 625f, or 904 shall pay a license reinstatement fee of \$125.00 to the secretary of state before a license is issued or returned to the individual. The increase in the reinstatement fee from \$60.00 to \$125.00 must be imposed for a license that is issued or returned on or after October 1, 1991 regardless of when the license was suspended, revoked, or restricted. Of the increase in the reinstatement fee from \$60.00 to \$125.00, \$25.00 must be allocated to the department of state, \$10.00 must be deposited by the department of treasury in the drunk driving prevention equipment and training fund created under section 625h(1), and \$30.00 must be deposited by the department of treasury in the drunk driving caseflow assistance fund created under section 625h(5). The fee must be waived if the license was suspended or restricted because of the individual's mental or physical infirmity or disability.

(2) An individual whose operator's or chauffeur's license is suspended, revoked, or restricted under section 319(7) shall pay a license reinstatement fee of \$125.00 to the secretary of state before a license is issued or returned to the individual. The fee must be waived if the license was suspended or restricted because of the individual's mental or physical infirmity or disability.

(3) Except as provided in subsection (4), an individual whose operator's or chauffeur's license is suspended as provided in section 321c shall pay a license reinstatement fee of \$85.00 to the secretary of state before a license is issued or returned to the person. The fee must be deposited in the state general fund and must be used to defray the expenses of the secretary of state in processing the suspension and reinstatement of driver licenses under this section.

(4) Beginning October 1, 2021, the secretary of state shall waive the reinstatement fee for an individual whose operator's or chauffeur's license was suspended, revoked, or restricted for reasons that are no longer eligible for the suspension, revocation, or restriction of an operator's or chauffeur's license under this act. The secretary of state shall immediately reinstate an operator's or chauffeur's license that was suspended, revoked, or restricted for reasons that are no longer eligible under this act.

(5) The secretary of state shall assess points and take licensing action, including suspending, revoking, or denying a license under this act, according to the law in effect at the time of the conspiracy to commit the offense or at the time the offense was committed or attempted or the civil infraction occurred. If 1 or more of the convictions involved in a licensing sanction is a violation or attempted violation of this act committed or attempted after January 1, 1992, the secretary of state shall apply the law in effect after January 1, 1992.

(6) Judicial review of an administrative licensing sanction under section 303 must be governed by the law in effect at the time the offense was committed or attempted. If 1 or more of the convictions involved in an administrative licensing sanction is a violation or attempted violation of this act committed or attempted after January 1, 1992, judicial review of that sanction must be governed by the law in effect after January 1, 1992.

History: Add. 1982, Act 310, Eff. Mar. 30, 1983;—Am. 1983, Act 18, Imd. Eff. Mar. 29, 1983;—Am. 1987, Act 232, Imd. Eff. Dec. 28, 1987;—Am. 1991, Act 98, Eff. Oct. 1, 1991;—Am. 1993, Act 359, Eff. Sept. 1, 1994;—Am. 1994, Act 449, Eff. May 1, 1995;—Am. 1996, Act 240, Eff. Jan. 1, 1997;—Am. 1996, Act 493, Eff. Apr. 1, 1997;—Am. 1998, Act 346, Eff. Oct. 1, 1999;—Am. 2003, Act 152, Eff. Oct. 1, 2003;—Am. 2020, Act 376, Eff. Oct. 1, 2021;—Am. 2024, Act 113, Eff. (sine die).

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."