

FINGERPRINTING OF TRANSIT SERVICE EMPLOYEES (EXCERPT)
Act 341 of 2012

***** 474.32.new THIS NEW SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2012
REGULAR SESSION SINE DIE *****

474.32.new Fingerprint-based criminal history check.

Sec. 2. (1) Notwithstanding any other provision of law to the contrary, a transit service provider may require the fingerprinting of an employee who comes into contact with a vulnerable population for the purpose of obtaining criminal history record information. Fingerprints obtained pursuant to this section may be submitted to the department of state police for a state criminal history record check. The department of state police shall forward the employee's fingerprints to the federal bureau of investigation for a national criminal history record check.

(2) A fingerprint-based criminal history check under this act shall be conducted in a manner prescribed by the department of state police. The department of state police shall conduct the fingerprint-based criminal history check and provide a report of the results to the requesting transit service provider.

(3) The department of state police may charge a fee for the fingerprint-based criminal history check. A fee for a fingerprint-based criminal history check charged under this subsection shall not exceed the actual and reasonable cost of conducting the check.

(4) A transit service provider that fingerprints employees under this section shall develop a written fingerprint policy and shall provide those employees with a written synopsis of the fingerprinting policy that describes how fingerprints are taken, to whom the fingerprints are sent, and how the fingerprints are used.

(5) The department of state police shall store and maintain all fingerprints submitted under this act in an automated fingerprint identification system database that provides for an automatic notification when a subsequent criminal arrest fingerprint card submitted into the system matches a set of fingerprints previously submitted in accordance with this act. Upon a match, the department of state police shall immediately notify the transit service provider that employs the employee. After the federal bureau of investigation implements a similar automatic notification system, the department of state police shall forward notifications from that system to the transit service provider.

(6) Any criminal history data kept on file by the transit service provider are exempt from disclosure under section 13(1)(d) of the freedom of information act, 1976 PA 442, MCL 15.243.

History: 2012, Act 341, Eff. (sine die).