

HOUSE BILL No. 5042

September 28, 2017, Introduced by Reps. Love, Chatfield, Garrett, Green, Byrd, Scott, Yanez, Durhal, Gay-Dagnogo, Neeley, Chang, Geiss, Guerra, Yaroch, Peterson, Robinson, Phelps, Santana, Hauck and Bellino and referred to the Committee on Michigan Competitiveness.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 732b (MCL 257.732b), as added by 2014 PA 283.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 732b. (1) If an individual was assessed a driver
2 responsibility fee under section 732a(2)(c) or (d), the individual
3 may engage in 10 hours of community service as an alternative to
4 paying that fee or any unpaid portion of that fee. ~~Community~~
5 **SUBJECT TO SECTION 732A(11), COMMUNITY** service under this
6 subsection shall be completed within 45 days after the application
7 to engage in community service is filed with the department of
8 treasury under subsection (3).

1 (2) An individual may engage in community service under
2 subsection (1) by obtaining a community service form from the
3 secretary of state or the department of treasury. The department of
4 treasury shall mail to each individual who is required to pay a
5 driver responsibility fee under section 732a(2)(c) or (d) a 1-time-
6 only written notice of the option of completing community service
7 as an alternative to paying that driver responsibility fee. The
8 notice shall include a statement that community service forms for
9 that purpose can be obtained from the department of state or from
10 the department of treasury. The notice shall be sent to the last
11 known address of the individual as shown in the records of the
12 department of treasury. The secretary of state shall make community
13 service forms available to the public at all branch offices and on
14 the department's website for purposes of this section and shall
15 provide community service forms to the department of treasury for
16 purposes of this section.

17 (3) If an individual chooses to engage in community service
18 under this section, the individual ~~shall~~**MUST** complete the
19 community service form obtained under subsection (2) and return the
20 form to the department of treasury in the manner prescribed by the
21 department of treasury. ~~by December 31, 2015.~~ Upon receiving a
22 properly completed community service form under this subsection,
23 the department of treasury shall inform the department of state
24 that the individual intends to complete community service under
25 this section as an alternative to paying a driver responsibility
26 fee or any portion of a driver responsibility fee. If the secretary
27 of state is notified by the department of treasury that the

1 individual has elected to complete community service under this
2 section as an alternative to paying the fee, that fee shall be held
3 in abeyance for a period of 45 days. If the individual's license is
4 suspended for failing to pay the driver responsibility fee or
5 portion of the driver responsibility fee, the department of state
6 shall, upon payment of the reinstatement fee, reinstate the
7 individual's driver license.

8 (4) An individual who engages in community service under this
9 section shall be allowed only 1 opportunity to complete the
10 community service alternative for each driver responsibility fee
11 owed. However, the department of treasury may allow an individual
12 to withdraw from that community service before the expiration of
13 the 45-day period for completing that community service for good
14 cause shown. If the individual is allowed to withdraw from
15 community service for good cause shown, that opportunity for
16 completing community service shall not be considered in the number
17 of opportunities to perform community service under this
18 subsection, but the individual is subject to the suspension of his
19 or her driving privileges under section 732a(5).

20 (5) Upon completing community service under this section, the
21 individual may request the person with whom he or she engaged in
22 community service under this section to verify on the community
23 service form in the manner designated by the secretary of state
24 that he or she successfully completed that community service. Upon
25 verification, the individual may return the community service form
26 to the department of treasury for purposes of this section. Any
27 person who falsely verifies community service under this subsection

1 and any individual who falsely requests the verification of
2 community service under this section or who returns a community
3 service form to the department of treasury under this subsection
4 knowing that his or her community service is falsely verified is
5 responsible for a state civil infraction and may be fined not more
6 than \$200.00.

7 (6) The department of treasury shall waive the driver
8 responsibility fee or any portion of the driver responsibility fee
9 otherwise required to be paid under section 732a(2)(c) or (d) upon
10 receiving verification that the individual successfully completed
11 the community service requirements of this section. The department
12 of treasury shall notify the department of state when it has waived
13 the fee under this section or, if the fee is not waived under this
14 section, that the 45-day period has expired and the fee has not
15 been waived. If the secretary of state is notified by the
16 department of treasury that the fee has not been waived, the
17 department of state shall enter that information into the records
18 of the department and shall suspend the individual's driver license
19 and proceed as provided by law for the individual's failure to pay
20 the driver responsibility fee or to complete community service
21 under this section.

22 (7) As used in this section, "community service" means
23 engaging in a useful and productive activity without compensation
24 for a person other than a family member, including, but not limited
25 to, an entity organized under section 501(c)(3) of the internal
26 revenue code, 26 USC 501, and community service offered through the
27 Michigan ~~community service commission~~. **COMMUNITY SERVICE COMMISSION.**

1 Enacting section 1. This amendatory act takes effect 90 days
2 after the date it is enacted into law.