

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 452

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 232 (MCL 257.232), as amended by 2019 PA 88.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 232. (1) Upon request, the secretary of state may furnish
2 a list of information from the records of the department maintained
3 under this act to a federal, state, or local governmental agency
4 for use in carrying out the agency's functions, or to a private
5 person or entity acting on behalf of a governmental agency for use
6 in carrying out the agency's functions. The secretary of state may
7 charge the requesting agency a preparation fee to cover the cost of
8 preparing and furnishing a list provided under this subsection if
9 the cost of preparation exceeds \$25.00, and use the revenues

1 received from the service to defray necessary expenses. If the
2 secretary of state sells a list of information under this
3 subsection to a member of the state legislature, the secretary of
4 state shall charge the same fee as the fee for the sale of
5 information under subsection (2) unless the list of information is
6 requested by the member of the legislature to carry out a
7 legislative function. The secretary of state may require the
8 requesting agency to furnish 1 or more blank computer tapes,
9 cartridges, or other electronic media and may require the agency to
10 execute a written memorandum of agreement as a condition of
11 obtaining a list of information under this subsection.

12 (2) The secretary of state may contract for the sale of lists
13 of driver and motor vehicle records and other records maintained
14 under this act in bulk, in addition to those lists distributed at
15 cost or at no cost under this section for purposes permitted by and
16 described in section 208c(3). The secretary of state shall require
17 each purchaser of records in bulk to execute a written purchase
18 contract. ~~The secretary of state shall fix a market-based price for~~
19 ~~the sale of such lists or other records maintained in bulk, which~~
20 ~~may include personal information.~~ Until October 1, 2023, the
21 proceeds from each sale made under this subsection must be credited
22 to the transportation administration collection fund created in
23 section 810b. **The secretary of state shall fix a price for the sale**
24 **of lists or other records maintained in bulk, which may include**
25 **personal information. The price per 1,000 records is based on the**
26 **date the records are obtained and must not exceed \$25.00 after**
27 **January 1, 2023.**

28 (3) The secretary of state or any other state agency shall not
29 sell or furnish any list of information under subsection (2) for

1 the purpose of surveys, marketing, or solicitations. The secretary
2 of state shall ensure that personal information disclosed in bulk
3 will be used, rented, or sold solely for uses permitted under this
4 act.

5 (4) The secretary of state may insert any safeguard the
6 secretary considers reasonable or necessary, including a bond
7 requirement, in a memorandum of agreement or purchase contract
8 executed under this section, to ensure that the information
9 provided or sold is used only for a permissible purpose and that
10 the rights of individuals and of the department are protected.

11 (5) An authorized recipient of personal information disclosed
12 under this section who resells or rediscloses the information for
13 any of the purposes permitted by and described in section 208c(3)
14 shall do both of the following:

15 (a) Make and keep for a period of not less than 5 years
16 records identifying each person who received personal information
17 from the authorized recipient and the permitted purpose for which
18 it was obtained.

19 (b) Allow a representative of the secretary of state, upon
20 request, to inspect and copy records identifying each person who
21 received personal information from the authorized recipient and the
22 permitted purpose for which it was obtained.

23 (6) The secretary of state shall not disclose a list based on
24 driving behavior or sanctions to a nongovernmental agency,
25 including an individual.