

**SUBSTITUTE FOR
HOUSE BILL NO. 5663**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 306a, 312e, and 312f (MCL 257.306a, 257.312e,
and 257.312f), section 306a as amended by 2021 PA 71, section 312e
as amended by 2015 PA 11, and section 312f as amended by 2021 PA
148.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 306a. (1) The secretary of state may issue a commercial
2 learner's permit that entitles an individual to drive a vehicle
3 requiring a vehicle group designation or ~~indorsement~~**endorsement**
4 under section 312e if all of the following apply:

5 (a) The individual submits a proper application and meets the
6 requirements of 49 CFR part 383.

1 (b) The individual is 18 years of age or older.

2 (c) The individual holds a valid operator's or chauffeur's
3 license that is not a restricted license.

4 (d) The individual passes the knowledge tests for an original
5 vehicle group designation or ~~indorsement,~~ **endorsement**, as required
6 by 49 CFR part 383.

7 (e) If the individual is applying for a hazardous materials
8 endorsement, he or she has been approved for the hazardous
9 materials endorsement by the Federal Transportation Security
10 Administration.

11 (2) An individual issued a commercial learner's permit under
12 subsection (1), or an equivalent commercial learner's permit issued
13 by another jurisdiction, may operate a vehicle requiring a vehicle
14 group designation or ~~indorsement~~ **endorsement** under section 312e, if
15 all of the following apply:

16 (a) The individual has the permit and a valid operator's or
17 chauffeur's license in his or her possession while operating the
18 vehicle **on a public roadway**.

19 (b) The individual is accompanied by an instructor certified
20 under the driver education provider and instructor act, 2006 PA
21 384, MCL 256.621 to 256.705, ~~or an adult with a valid operator's or~~
22 ~~chauffeur's license,~~ and all of the following apply:

23 (i) The instructor ~~or licensed adult~~ has in his or her
24 possession a valid license with a vehicle group designation and any
25 ~~indorsement~~ **endorsement** necessary to operate the vehicle as
26 provided in section 312e.

27 (ii) The instructor ~~or licensed adult~~ is at all times
28 physically present in the front seat of the vehicle next to the
29 operator or, in the case of a passenger vehicle, directly behind

1 the operator or in the first row behind the operator.

2 (iii) The instructor ~~or licensed adult~~ has the operator under
3 observation and direct supervision.

4 (c) The individual shall not operate a vehicle transporting
5 hazardous materials as defined in 49 CFR part 383.

6 (d) If the individual has a permit to operate a tank vehicle,
7 the individual may only operate an empty tank vehicle and shall not
8 operate any tank vehicle that previously contained hazardous
9 materials unless the tank has been purged of all hazardous material
10 residue.

11 (e) If the individual has a permit to operate a vehicle
12 designed to carry 16 or more passengers or a school bus, the
13 individual shall not operate a vehicle designed to carry 16 or more
14 passengers or a school bus with any passengers other than the
15 following individuals:

16 (i) The instructor ~~or licensed adult~~ described in this section.

17 (ii) Federal or state auditors or inspectors.

18 (iii) Test examiners.

19 (iv) Other trainees.

20 (3) Beginning October 1, 2021, a commercial learner's permit
21 issued under this section is valid for 1 year from the date of
22 issuance.

23 (4) Notwithstanding subsection (3), a commercial learner's
24 permit issued under this section that expires on or after March 1,
25 2020 is valid until March 31, 2021. Notwithstanding subsection (3),
26 a commercial learner's permit issued under this section that
27 expires after March 31, 2021 but before August 1, 2021 is valid
28 until 120 days after the date of the expiration.

29 Sec. 312e. (1) Except as otherwise provided in this section, a

1 ~~person, an individual~~, before operating a commercial motor vehicle,
2 shall obtain the required vehicle group designation as follows:

3 (a) ~~A person, An individual~~, before operating a combination of
4 motor vehicles with a gross combination weight rating or gross
5 combination weight of 26,001 pounds or more, whichever is greater,
6 inclusive of towed units with a gross vehicle weight rating or
7 gross vehicle weight of more than 10,000 pounds, shall procure a
8 group A vehicle designation on his or her operator's or chauffeur's
9 license. Unless an ~~indorsement~~**endorsement** or the removal of
10 restrictions is required, ~~a person an individual~~ licensed to
11 operate a group A vehicle may operate a group B or C vehicle
12 without taking another test.

13 (b) ~~A person, An individual~~, before operating a single vehicle
14 having a gross vehicle weight rating or gross vehicle weight of
15 26,001 pounds or more, whichever is greater, including while towing
16 a vehicle having a gross vehicle weight rating or gross vehicle
17 weight of not more than 10,000 pounds, shall procure a group B
18 vehicle designation on his or her operator's or chauffeur's
19 license. Unless an ~~indorsement~~**endorsement** or the removal of
20 restrictions is required, ~~a person an individual~~ licensed to
21 operate a group B vehicle may operate a group C vehicle without
22 taking another test.

23 (c) ~~A person, An individual~~, before operating a single vehicle
24 or a combination of vehicles that fits the definition of small
25 vehicle (group C) under 49 CFR 383.91(a) (3) shall procure a group C
26 vehicle designation and a hazardous material or passenger vehicle
27 ~~indorsement~~**endorsement** on his or her operator's or chauffeur's
28 license.

29 (2) An applicant for a vehicle group designation shall take

1 knowledge and driving skills tests that comply with minimum federal
 2 standards prescribed in 49 CFR part 383 as required under this act
 3 **and, beginning February 7, 2022, complete the entry level driver**
 4 **training described and required under 49 CFR part 380.**

5 (3) The license ~~shall~~**must** be issued, suspended, revoked,
 6 canceled, or renewed in accordance with this act.

7 (4) Except as provided in this subsection, all of the
 8 following apply:

9 (a) If ~~a person~~**an individual** operates a group B passenger
 10 vehicle while taking his or her driving skills test for a P
 11 ~~indorsement,~~**endorsement**, he or she is restricted to operating only
 12 group B or C passenger vehicles under that P ~~indorsement.~~
 13 **endorsement**. If ~~a person~~**an individual** operates a group B school
 14 bus while taking his or her driving skills test for an S
 15 ~~indorsement,~~**endorsement**, he or she is restricted to operating only
 16 group B or C school buses under that S ~~indorsement.~~**endorsement**.
 17 Except as provided in this section, beginning ~~on the effective date~~
 18 ~~of the amendatory act that added this sentence,~~**July 8, 2015**, the
 19 secretary of state shall place on the commercial learner's permit
 20 or commercial driver license the following restriction code as
 21 provided under 49 CFR 383.95 and 383.153: not valid to operate a
 22 group A passenger commercial motor vehicle.

23 (b) If ~~a person~~**an individual** operates a group C passenger
 24 vehicle while taking his or her driving skills test for a P
 25 ~~indorsement,~~**endorsement**, he or she is restricted to operating only
 26 group C passenger vehicles under that P ~~indorsement.~~**endorsement**.
 27 If ~~a person~~**an individual** operates a group C school bus while
 28 taking his or her driving skills test for an S ~~indorsement,~~
 29 **endorsement**, he or she is restricted to operating only group C

1 school buses under that S ~~indorsement.~~ **endorsement**. Except as
2 provided in this section, beginning ~~on the effective date of the~~
3 ~~amendatory act that added this sentence,~~ **July 8, 2015**, the
4 secretary of state shall place on the commercial learner's permit
5 or commercial driver license the following restriction code as
6 provided under 49 CFR 383.95 and 383.153: not valid to operate a
7 group A or group B passenger commercial motor vehicle.

8 (c) ~~A person~~ **An individual** who fails the air brake portion of
9 the written or driving skills test provided under section 312f or
10 who takes the driving skills test provided under that section in a
11 commercial motor vehicle that is not equipped with air brakes shall
12 not operate a commercial motor vehicle equipped with air brakes.
13 Except as provided in this section, beginning ~~on the effective date~~
14 ~~of the amendatory act that added this sentence,~~ **July 8, 2015**, the
15 secretary of state shall place on the commercial learner's permit
16 or commercial driver license the following restriction code as
17 provided under 49 CFR 383.95 and 383.153: CDL not valid for vehicle
18 with air brakes.

19 (d) Except as provided in this section, beginning ~~on the~~
20 ~~effective date of the amendatory act that added this subdivision,~~
21 **July 8, 2015**, the secretary of state shall place on a commercial
22 learner's permit or commercial driver license the following
23 restriction codes as provided under 49 CFR 383.95 and 383.153:

- 24 (i) For a commercial learner's permit:
- 25 (A) No passengers in a commercial motor vehicle bus.
 - 26 (B) No cargo in a commercial motor vehicle tank vehicle.
 - 27 (C) Commercial motor vehicle operation with medical variance.
 - 28 (D) Commercial motor vehicle operation intrastate only.
- 29 (ii) For a commercial driver license:

1 (A) Not valid to operate commercial motor vehicle equipped
2 with full air brakes.

3 (B) Not valid to operate commercial motor vehicle equipped
4 with manual transmission.

5 (C) Not valid to operate a group A commercial vehicle tractor-
6 trailer combination connected by fifth wheel.

7 (D) Commercial motor vehicle operation intrastate only.

8 (E) Commercial motor vehicle operation with medical variance.

9 (5) ~~A person,~~ **An individual**, before operating a commercial
10 motor vehicle, shall obtain the following vehicle ~~indersements~~
11 **endorsements** as provided under 49 CFR 383.93 and 383.153:

12 (a) ~~A person,~~ **An individual**, before operating a commercial
13 motor vehicle pulling double trailers, shall obtain the appropriate
14 vehicle group designation and a T vehicle ~~indersement~~ **endorsement**
15 under this act.

16 (b) ~~A person~~ **An individual** applying for a commercial learner's
17 permit to operate an empty tank motor vehicle shall obtain the
18 appropriate vehicle group designation and an N ~~indersement.~~ ~~A~~
19 ~~person,~~ **endorsement.** **An individual**, before operating a tank motor
20 vehicle, shall have on a commercial driver license the appropriate
21 vehicle group designation and an N vehicle ~~indersement~~ **endorsement**
22 under this act.

23 (c) ~~A person,~~ **Until February 6, 2022, an individual**, before
24 operating a commercial motor vehicle carrying hazardous materials
25 on which a placard is required under 49 CFR parts 100 to 199, shall
26 procure the appropriate vehicle group designation and an H vehicle
27 ~~indersement~~ **endorsement** under this act. **Beginning February 7, 2022,**
28 **an individual, before operating a commercial motor vehicle carrying**
29 **hazardous materials on which a placard is required under 49 CFR**

1 parts 100 to 199, shall complete the entry level driver training
2 described and required under 49 CFR part 380 to procure the
3 appropriate vehicle group designation and an H vehicle endorsement
4 under this act.

5 (d) ~~A person,~~ **An individual**, before operating a tank motor
6 vehicle carrying hazardous materials, shall obtain the appropriate
7 vehicle group designation and both an N and H vehicle ~~indorsement,~~
8 **endorsement**, which ~~shall~~ **must** be designated by the code letter X on
9 the ~~person's-individual's~~ operator's or chauffeur's license.

10 (e) ~~A person~~ **An individual** applying for a commercial learner's
11 permit to operate a passenger commercial motor vehicle that is not
12 a school bus, as set forth in section 306a(2)(e), shall obtain the
13 appropriate commercial vehicle group designation and a P
14 ~~indorsement. A person,~~ **endorsement. An individual**, before operating
15 a vehicle that is designed to transport 16 or more passengers
16 including the driver but that is not a school bus ~~shall~~ **must** have
17 on a commercial driver license the appropriate vehicle group
18 designation and a P vehicle ~~indorsement~~ **endorsement** under this act.
19 An applicant for a P vehicle ~~indorsement~~ **shall** **endorsement must**
20 take the driving skills test in a vehicle designed to transport 16
21 or more passengers including the driver **and, beginning February 7,**
22 **2022, complete the entry level driver training described and**
23 **required under 49 CFR part 380.**

24 (f) ~~A person~~ **An individual** applying for a commercial learner's
25 permit to operate a school bus designed to transport 16 or more
26 passengers, including the driver, as set forth in section
27 306a(2)(e), who does not currently possess a P ~~indorsement,~~
28 **endorsement**, shall obtain the appropriate vehicle group designation
29 and pass the knowledge tests for both the P and S ~~indorsements.~~ **A**

1 ~~person, endorsements.~~ **An individual**, before operating a school bus,
2 ~~shall must~~ have on a commercial driver license the appropriate
3 vehicle group designation and both the P and S vehicle ~~endorsements~~
4 **endorsements** under this act. An applicant for an S vehicle
5 ~~endorsement endorsement~~ shall take a driving skills test in a
6 school bus designed to transport 16 or more passengers, including
7 the driver, that represents the same type of vehicle that the
8 applicant intends to operate as a school bus **and, beginning**
9 **February 7, 2022, complete the entry level driver training**
10 **described and required under 49 CFR part 380.**

11 (g) ~~A person~~ **An individual** who currently possesses a P
12 ~~endorsement endorsement~~ and is applying for a commercial learner's
13 permit to operate a school bus designed to transport 16 or more
14 passengers, including the driver, as set forth in section
15 306(a)(2)(e), shall obtain the appropriate vehicle group
16 designation and pass the knowledge test for the S ~~endorsement.~~ **A**
17 ~~person endorsement.~~ **An individual** who currently possesses a P
18 ~~endorsement, endorsement,~~ before operating a school bus designed to
19 transport 16 or more passengers, including the driver, shall obtain
20 the appropriate vehicle group designation, pass the knowledge test
21 for an S ~~endorsement, endorsement,~~ and obtain an S vehicle
22 ~~endorsement endorsement~~ for his or her commercial driver license
23 under this act. An applicant for an S vehicle ~~endorsement~~
24 **endorsement** shall take a driving skills test in a school bus
25 designed to transport 16 or more passengers, including the driver,
26 that represents the same type of vehicle that the applicant intends
27 to operate as a school bus **and, beginning February 7, 2022,**
28 **complete the entry level driver training described and required**
29 **under 49 CFR part 380.**

1 (6) An applicant for an ~~indersement~~**endorsement** shall take the
 2 knowledge and driving skills tests described and required under 49
 3 CFR part 383 **and, beginning February 7, 2022, complete the entry**
 4 **level driver training described and required under 49 CFR part 380.**

5 (7) The holder of an unexpired operator's or chauffeur's
 6 license may be issued a vehicle group designation and ~~indersement~~
 7 **endorsement** valid for the remainder of the license upon meeting the
 8 qualifications of section 312f and payment of the original vehicle
 9 group designation fee of \$25.00 and an ~~indersement~~**endorsement** fee
 10 of \$5.00 per ~~indersement~~**, endorsement**, and a corrected license fee
 11 of \$18.00. ~~A person~~**An individual** required to procure an F vehicle
 12 ~~indersement~~**endorsement** under subsection (9) shall pay an
 13 ~~indersement~~**endorsement** fee of \$5.00.

14 (8) Except as otherwise provided in subsections (9) and (10),
 15 this section does not apply to a driver or operator of a vehicle
 16 under all of the following conditions:

17 (a) The vehicle is controlled and operated by a farmer or an
 18 employee or family member of the farmer.

19 (b) The vehicle is used to transport agricultural products,
 20 farm machinery, farm supplies, or a combination of these items, to
 21 or from a farm.

22 (c) The vehicle is not used in the operation of a common or
 23 contract motor carrier.

24 (d) The vehicle is operated within 150 miles of the farm.

25 (9) ~~A person~~**An individual**, before driving or operating a
 26 combination of vehicles having a gross vehicle weight rating of
 27 26,001 pounds or more on the power unit that is used as described
 28 in subsection (8)(a) to (d), shall obtain an F vehicle ~~indersement~~
 29 **endorsement**. The F vehicle ~~indersement~~**endorsement must** be

1 issued upon successful completion of a knowledge test only.

2 (10) ~~A person,~~ **An individual**, before driving or operating a
3 single vehicle truck having a gross vehicle weight rating of 26,001
4 pounds or more or a combination of vehicles having a gross vehicle
5 weight rating of 26,001 pounds or more on the power unit that is
6 used as described in subsection (8) (a) to (d) for carrying
7 hazardous materials on which a placard is required under 49 CFR
8 parts 100 to 199, shall successfully complete both a knowledge test
9 and a driving skills test. Upon successful completion of the
10 knowledge test and driving skills test, the ~~person~~-**individual** shall
11 be issued the appropriate vehicle group designation and any vehicle
12 ~~indorsement~~-**endorsement** necessary under this act.

13 (11) This section does not apply to a police officer operating
14 an authorized emergency vehicle or to a firefighter operating an
15 authorized emergency vehicle who has met the driver training
16 standards published under the firefighters training council act,
17 1966 PA 291, MCL 29.361 to 29.377.

18 (12) This section does not apply to ~~a person~~-**an individual**
19 operating a vehicle used exclusively to transport personal
20 possessions or family members for nonbusiness purposes.

21 (13) The money collected under subsection (7) for a vehicle
22 group designation or ~~indorsement~~ shall ~~shall~~-**endorsement must** be
23 deposited in the state treasury to the credit of the general fund.
24 The secretary of state shall refund out of the fees collected to
25 each county or municipality acting as an examining officer or
26 examining bureau \$3.00 for each applicant examined for a first
27 designation or ~~indorsement~~-**endorsement** to an operator's or
28 chauffeur's license and \$1.50 for each renewal designation or
29 ~~indorsement~~-**endorsement** to an operator's or chauffeur's license,

1 whose application is not denied, on the condition that the money
 2 refunded ~~shall~~**must** be paid to the county or local treasurer and is
 3 appropriated to the county, municipality, or officer or bureau
 4 receiving that money for the purpose of carrying out this act.

5 (14) Notwithstanding any other provision of this section, ~~a~~
 6 ~~person~~**an individual** operating a vehicle described in subsections
 7 (8) and (9) is subject to the provisions of sections 303 and 319b.

8 (15) This state shall comply with the requirements of the
 9 American Association of Motor Vehicle Administrators' AAMVANet,
 10 Incorporated's "Commercial Driver License Information System
 11 (CDLIS) State Procedures Manual" that the secretary of state
 12 determines are required for implementing and enforcing federal law.

13 Sec. 312f. (1) Except as otherwise provided in this section,
 14 an individual shall be not less than 18 years of age before he or
 15 she is issued a vehicle group designation or ~~indorsement,~~
 16 **endorsement**, other than a motorcycle ~~indorsement,~~**endorsement**, or
 17 not less than 21 years of age and has been approved by the
 18 Transportation Security Administration for a hazardous material
 19 endorsement before he or she is issued a hazardous material
 20 endorsement on an operator's or chauffeur's license and, as
 21 provided in this section, the individual shall pass a knowledge
 22 test and a driving skills test that comply with minimum federal
 23 standards prescribed in 49 CFR part 383 **and, beginning February 7,**
 24 **2022, complete the entry level driver training described and**
 25 **required under 49 CFR part 380.** The knowledge test and the driving
 26 skills test scores must be retained by the secretary of state as
 27 provided under 49 CFR 383.135. An individual who is 18 years of age
 28 or older operating a vehicle to be used for farming purposes only
 29 may obtain an A or B vehicle group designation or an F vehicle

1 ~~indorsement~~. **endorsement**. Each written examination given to an
 2 applicant for a vehicle group designation or ~~indorsement~~
 3 **endorsement** must include subjects designed to cover the type or
 4 general class of vehicle to be operated. Except as follows, an
 5 individual shall pass an examination that includes a driving skills
 6 test designed to test competency of the applicant for an original
 7 vehicle group designation and passenger ~~indorsement~~ **endorsement** on
 8 an operator's or chauffeur's license to drive that type or general
 9 class of vehicle upon the highways of this state with safety to
 10 persons and property **and, beginning February 7, 2022, complete an**
 11 **entry level driver training:**

12 (a) The secretary of state shall waive the driving skills test
 13 for an individual operating a vehicle that is used under the
 14 conditions described in section 312e(8)(a) to (d) unless the
 15 vehicle has a gross vehicle weight rating of 26,001 pounds or more
 16 on the power unit and is to be used to carry hazardous materials on
 17 which a placard is required under 49 CFR parts 100 to 199.

18 (b) The driving skills test may be waived if the applicant has
 19 a valid license with the appropriate vehicle group designation,
 20 passenger vehicle ~~indorsement~~, **endorsement**, or school bus
 21 ~~indorsement~~ **endorsement** in another state issued in compliance with
 22 49 USC 31301 to 31317, or if the individual successfully passes a
 23 driving skills test administered in another state that meets the
 24 requirements of federal law and the law of this state.

25 (c) The secretary of state may waive the knowledge test and
 26 the driving skills test required under this section for an
 27 individual with military commercial motor vehicle experience if the
 28 individual, at the time of application, certifies and provides
 29 evidence satisfactory to the secretary of state that he or she

1 continuously met all of the requirements under 49 CFR part 383
2 during the 2-year period immediately preceding the date of
3 application for the commercial driver license.

4 **(d) Beginning February 7, 2022, the secretary of state may**
5 **waive the entry level driver training required under this section**
6 **for an individual who, at the time of application, certifies and**
7 **provides evidence satisfactory to the secretary of state that he or**
8 **she meets 1 of the exceptions for taking a driving skills test**
9 **under 49 CFR part 383.**

10 (2) Except for an individual who has held an operator's or
11 chauffeur's license for less than 1 year, the secretary of state
12 shall waive the knowledge test and the driving skills test and
13 issue a 1-year seasonal restricted vehicle group designation to an
14 otherwise qualified applicant to operate a group B or a group C
15 vehicle for a farm related service industry if all of the following
16 conditions are met:

17 (a) The applicant meets the requirements of 49 CFR 383.77.

18 (b) The seasons for which the seasonal restricted vehicle
19 group designation is issued are from April 2 to June 30 and from
20 September 2 to November 30 only of a 12-month period or, at the
21 option of the applicant, for not more than 180 days from the date
22 of issuance in a 12-month period.

23 (c) The commercial motor vehicle for which the seasonal
24 restricted vehicle group designation is issued must be operated
25 only if all the following conditions are met:

26 (i) The commercial motor vehicle is operated only on routes
27 within 150 miles from the place of business to the farm or farms
28 being served.

29 (ii) The commercial motor vehicle does not transport a quantity

1 of hazardous materials on which a placard under 49 CFR parts 100 to
2 199 is required except for the following:

3 (A) Diesel motor fuel in quantities of 1,000 gallons or less.

4 (B) Liquid fertilizers in quantities of 3,000 gallons or less.

5 (C) Solid fertilizers that are not transported with any
6 organic substance.

7 (iii) The commercial motor vehicle does not require the H, N, P,
8 S, T, or X vehicle ~~indorsement~~**endorsement**.

9 (3) A seasonal restricted vehicle group designation under this
10 section must be issued, suspended, revoked, canceled, denied, or
11 renewed in accordance with this act. The secretary of state may
12 renew a seasonal restricted vehicle group designation 1 time per
13 calendar year regardless of whether the seasonal restricted vehicle
14 group designation is expired at the time of renewal.

15 (4) The secretary of state may enter into an agreement with
16 another public or private corporation or agency to conduct a
17 driving skills test required under this section, section 312e, or
18 49 CFR part 383 **or to provide the entry level driver training**
19 **described and required under 49 CFR part 380**. Before the secretary
20 of state authorizes an individual to administer a corporation's or
21 agency's driver skills testing operations, ~~or~~ authorizes an
22 examiner to conduct a driving skills test, **or authorizes an entry**
23 **level driver training provider that meets the requirements of 49**
24 **CFR 380.700 to conduct an entry level driving training**, that
25 individual, ~~or~~ examiner, **or entry level driver training provider**
26 must complete both a state and Federal Bureau of Investigation
27 fingerprint-based criminal history check through the department of
28 state police.

29 (5) The secretary of state shall not issue a commercial

1 learner's permit, a vehicle group designation, or a vehicle
2 ~~indorsement~~**endorsement** to an applicant for an original vehicle
3 group designation or vehicle ~~indorsement~~**endorsement** under section
4 312e or may cancel a commercial learner's permit or all vehicle
5 group designations or endorsements on an individual's operator's or
6 chauffeur's license to whom 1 or more of the following apply:

7 (a) The applicant has had his or her license suspended or
8 revoked for a reason other than as provided in section 321a, 515,
9 732a, or 801c or section 30 of the support and parenting time
10 enforcement act, 1982 PA 295, MCL 552.630, in the 36 months
11 immediately preceding application. However, a vehicle group
12 designation may be issued if the suspension or revocation was due
13 to a temporary medical condition or failure to appear at a
14 reexamination as provided in section 320.

15 (b) The applicant was convicted of or incurred a bond
16 forfeiture in relation to a 6-point violation as provided in
17 section 320a in the 24 months immediately preceding application if
18 the violation occurred while the applicant was operating a
19 commercial motor vehicle, or a violation of section 625(3) or
20 former section 625b, or a local ordinance that substantially
21 corresponds to section 625(3) or former section 625b in the 24
22 months immediately preceding application, if the applicant was
23 operating any type of motor vehicle.

24 (c) The applicant is listed on the National Driver Register,
25 the Commercial Driver's License Information System, the driving
26 records of the state in which the applicant was previously
27 licensed, or, beginning ~~January 6, 2023,~~ **November 18, 2024**, the
28 National Drug and Alcohol Clearinghouse as being disqualified from
29 operating a commercial motor vehicle or as having a license or

1 driving privilege suspended, revoked, canceled, or denied.

2 (d) The applicant is listed on the National Driver Register,
3 the Commercial Driver's License Information System, or the driving
4 records of the state in which the applicant was previously licensed
5 as having had a license suspended, revoked, or canceled in the 36
6 months immediately preceding application if a suspension or
7 revocation would have been imposed under this act had the applicant
8 been licensed in this state in the original instance. This
9 subdivision does not apply to a suspension or revocation that would
10 have been imposed due to a temporary medical condition or under
11 section 321a, 515, 732a, or 801c or section 30 of the support and
12 parenting time enforcement act, 1982 PA 295, MCL 552.630.

13 (e) The applicant is subject to a suspension or revocation
14 under section 319b or would have been subject to a suspension or
15 revocation under section 319b if the applicant had been issued a
16 vehicle group designation or vehicle ~~indorsement~~.**endorsement**.

17 (f) The applicant has been disqualified from operating a
18 commercial motor vehicle under 49 USC 31301 to 31317 or the
19 applicant's license to operate a commercial motor vehicle has been
20 suspended, revoked, denied, or canceled within 36 months
21 immediately preceding the date of application.

22 (g) The United States Secretary of Transportation has
23 disqualified the applicant from operating a commercial motor
24 vehicle.

25 (h) The applicant fails to satisfy the federal regulations
26 promulgated under 49 CFR parts 383 and 391 by refusing to certify
27 the type of commercial motor vehicle operation the applicant
28 intends to perform and fails to present valid medical certification
29 to the secretary of state if required to do so. The requirement of

1 this subdivision is waived from July 1, 2020 to August 31, 2021,
2 pursuant to the Waiver in Response to the COVID-19 National
3 Emergency - For States, CDL Holders, CLP Holders, and Interstate
4 Drivers Operating Commercial Motor Vehicles, or any extension of
5 that waiver issued after August 31, 2021.

6 (i) The applicant has been disqualified from operating a
7 commercial motor vehicle due to improper or fraudulent testing.

8 (j) If the secretary of state determines through a
9 governmental investigation that there is reason to believe that a
10 commercial driver license or endorsement was issued as a result of
11 fraudulent or improper conduct in taking a knowledge test or
12 driving skills test required under 49 CFR part 383 **or in completing**
13 **the entry level driver training described and required under 49 CFR**
14 **part 380**, the secretary of state shall require the applicant to
15 retake and successfully pass that test **or complete the training**.
16 The secretary of state shall cancel any commercial driver license
17 or endorsement issued as a result of the suspect test **or training**
18 unless the applicant retakes and passes that test **or completes the**
19 **training**.

20 (6) The secretary of state shall not renew or upgrade a
21 vehicle group designation if 1 or more of the following conditions
22 exist:

23 (a) The United States Secretary of Transportation has
24 disqualified the applicant from operating a commercial motor
25 vehicle.

26 (b) The applicant is listed on the National Driver Register,
27 the Commercial Driver's License Information System, or, beginning
28 ~~January 6, 2023,~~ **November 18, 2024**, the National Drug and Alcohol
29 Clearinghouse as being disqualified from operating a commercial

1 motor vehicle or as having a driver license or driving privilege
2 suspended, revoked, canceled, or denied.

3 (c) On or after January 30, 2012, the applicant fails to meet
4 the requirements of 49 CFR parts 383 and 391 by refusing to certify
5 the type of commercial motor vehicle operation the applicant
6 intends to perform and fails to present medical certification to
7 the secretary of state if required to do so. The requirement of
8 this subdivision is waived from July 1, 2020 to August 31, 2021,
9 pursuant to the Waiver in Response to the COVID-19 National
10 Emergency - For States, CDL Holders, CLP Holders, and Interstate
11 Drivers Operating Commercial Motor Vehicles, or any extension of
12 that waiver issued after August 31, 2021.

13 (7) The secretary of state shall only consider bond
14 forfeitures under subsection (5)(b) for violations that occurred on
15 or after January 1, 1990 when determining the applicability of
16 subsection (5).

17 (8) If an applicant for an original vehicle group designation
18 was previously licensed in another jurisdiction, the secretary of
19 state shall request a copy of the applicant's driving record from
20 that jurisdiction. If 1 or more of the conditions described in
21 subsection (5) exist in that jurisdiction when the secretary of
22 state receives the copy, the secretary of state shall cancel all
23 vehicle group designations on the individual's operator's or
24 chauffeur's license.

25 (9) The secretary of state shall cancel all vehicle group
26 designations on an individual's operator's or chauffeur's license
27 upon receiving notice from the United States Secretary of
28 Transportation, the National Driver Register, the Commercial
29 Driver's License Information System, or another state or

1 jurisdiction that 1 or more of the conditions described in
2 subsection (5) existed at the time of the individual's application
3 in this state.

4 (10) The secretary of state shall cancel all vehicle group
5 designations on the individual's operator's or chauffeur's license
6 upon receiving proper notice that the individual no longer meets
7 the federal driver qualification requirements under 49 CFR parts
8 380, 383, and 391 to operate a commercial motor vehicle in
9 interstate or intrastate commerce, or the individual no longer
10 meets the driver qualification requirements to operate a commercial
11 motor vehicle in intrastate commerce under the motor carrier safety
12 act of 1963, 1963 PA 181, MCL 480.11 to 480.25.

13 (11) Subsection (5)(a), (b), (d), and (f) does not apply to an
14 applicant for an original vehicle group designation who at the time
15 of application has a valid license to operate a commercial motor
16 vehicle issued by any state in compliance with 49 USC 31301 to
17 31317.

18 (12) As used in this section, "farm related service industry"
19 means custom harvesters, farm retail outlets and suppliers, agri-
20 chemical business, or livestock feeders.