

# Michigan Association of District Court Magistrates Annual Conference

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## *Michigan Department of State Update*

Materials presented by:

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## MDOS Update

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### ***COVID-19 Information:***

**Change in branch office hours** – Beginning July 19 and extending through Sept 30, all branch offices will be open until 6 p.m. on Mondays and Thursdays, and will open at 8 a.m. on Tuesdays, Wednesdays and Fridays to address the transaction backlog caused by the pandemic. Appointments become available for the extended hours at 2 p.m. on Wednesdays for the following week.

### ***CARS (Customer & Automotive Records System):***

As part of Secretary of State Jocelyn Benson's effort to bring efficiency to the department, a major shift impacting Michigan Courts launched March 16, 2021 (CARS) and it is critical that your organization is aware of this change.

As a part of this new system, customers will be able to renew or replace their driver's licenses and IDs at any of the 135 new self-service stations across the state and renew or replace their enhanced licenses and IDs online.

In addition to the many services already online, new online services at [Michigan.gov/sos](https://Michigan.gov/sos) will including:

- Renew or replace an enhanced driver's license or state ID if no new photo is required;
- View the status of the requested driver's license or state ID;
- Request and obtain a driving record;
- Add a motorcycle endorsement to an eligible driver's license;
- Access streamlined business services;
- Renew or order a new plate; and
- Renew or replace license or ID.

In addition to the vehicle services already offered at self-service stations, new **self-service station** transactions will include:

- Renew a standard or enhanced driver's license or state ID if no new photo required;
- Request a replacement and print out a temporary license or ID
- Register to vote;
- Sign up on the state's organ donor registry;
- Renew automobile or motorcycle, print registration and tab; and
- Renew watercraft, receive decal in the mail.

## **LEGISLATION:**

### **Criminal Justice Reform (2020 PA 382) – effective date October 1, 2021**

As you are aware, the Criminal Justice Reform (2020 PA 382) has an effective date of October 1, 2021. This PA amends penalties for certain violations of the Michigan Vehicle Code. Due to the 14-day delay in the notification of their suspensions received in the mail, MDOS is asking that **all sanctions that 2020 PA 382 repeals, NO LONGER BE ABSTRACTED AS OF SEPTEMBER 17, 2021.**

The Offense Index Code has been updated and can be found:

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### **2021 PA 71, 72, 73 – effective date July 30, 2021**

Extends the validity of driver's licenses, state personal ID cards, enhanced licenses and cards, driver instruction permits, and certain vehicle registrations and certifications expiring on or after March 31, 2021, and before August 1, 2021. In most cases, the extension would be for 120 days after the expiration. The secretary of state could not charge a renewal late fee for a document that expired and was renewed within these time frames and, upon request, would have to reimburse such a fee that was assessed and collected. These provisions would apply retroactively.

## **2021 PA 79 – effective February 19, 2022**

Allows for a first offense operating while intoxicated conviction to be set aside via application (not eligible for automatic set aside under MCL 780.621g). Permits the court to consider whether the applicant had benefited from rehabilitative or educational programs if they had been ordered by the sentencing court, or whether they had taken steps towards rehabilitation prior to sentencing for their OWI conviction. Grants the court reviewing the set aside application for an OWI conviction ability to deny the application if they are not convinced that the applicant had either availed themselves or benefited from educational or rehabilitative programming.

### **Restricted Licenses**

- Restricted licenses will be issued as a hard card photo license starting March 16, 2021.
- Restricted licenses issued prior to March 16, 2021 will remain a paper restriction license, also referred to as a green bedsheet. If an individual wants a hard card, they may go into the branch and replace their paper restriction license.
- Individual issued a 625G Permit will continue to drive on the paper license issued by law enforcement.

### **No Proof of Insurance Offense Codes**

- In accordance with MCL 257.328, the Michigan Department of State will require new data to allow more stringent enforcement of no proof of insurance infraction penalties.
- For civil infraction offense codes 3100 – No Proof of Insurance and 3106 – No Insurance, **the abstract needs to include the VIN and plate number of the vehicle used during the citation.** If the courts do not supply this information, they will receive an error message. If it is ignored, MDOS will not place a hold on the vehicle/plate.
- Courts will receive CORR errors if VIN and plate number are not included for these offense codes.

### **Use of Sobriety Court Inquiry through LEIN**

- Courts using the Law Enforcement Information Network (LEIN) to process Sobriety Court inquiries will need to utilize their Direct Access accounts to process the Sobriety Court check.

- If assistance is needed in setting up a Direct Access account, please contact [commercialservices@michigan.gov](mailto:commercialservices@michigan.gov)

**GENERAL:**

- Court Manual and the Abstract Training Manual are now online. If you need access, please email Melissa Noll ([nollm1@michigan.gov](mailto:nollm1@michigan.gov)). We have also updated this to include CARS information and How to Read a Driving Record (new format since CARS implementation).
- Once a participant has completed Sobriety Court, the Court MUST send in a MC-393 letting us know that they have successfully completed or have been removed. This has been a big problem, especially during the pandemic. If a participant does not complete Sobriety Court, a MC-393 must be sent to [MDOS-sobctremovals@michigan.gov](mailto:MDOS-sobctremovals@michigan.gov).