

MADCM Board Meeting
January 21, 2022
MDOS Update

COVID-19 Information:

Change in branch office hours – All branches are back to their normal office hours.

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. Please see Appendix A.

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

[TABLE OF CONTENTS \(michigan.gov\)](#)

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.

Senate Bill No. 810 – Changes DWI/Sobriety Court to “Specialty” court to include, drug treatment court, DWI/sobriety court, hybrid of the programs, mental health court and veterans’ treatment court.

Restricted Licenses

- Restricted licenses will be issued as a hard card photo license starting March 16, 2021. (Please see sample below)
- 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.



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

GENERAL:

- Court Manual and the Abstract Training Manual are now online. If you need access, please email Melissa Noll (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.

Appendix A

Offense Code	Description	FAC	FCJ	Section
1300	Open Intoxicants in Vehicle		X	257.624a
1306	Open Intoxicants in Vehicle/Passenger		X	257.624a
1307	Person Under 21 Transport/Possess in Vehicle		X	257.624b
1308	Person Under 21 Transport/Possess in Vehicle/Passenger		X	257.624b
1310	Preliminary Breath Test Refusal in CMV			257.625a
1315	Refusal of Preliminary Oral Fluid Analysis in CMV			257.625r(9)
1320	Preliminary Breath Test Refusal in Non-CMV			257.625a(2)
1325	Refusal of Preliminary Oral Fluid Analysis in Non-CMV			257.625r(5)
1330	Fraud ID in Purchase			436.1703(2)
1341	Allowed A Suspended/Revoked Person to Operate			257.904(2)
1342	Allowed A Suspended/Revoked Person to Operate Causing Serious Injury	X	X	257.904(7)
1343	Allowed A Suspended/Revoked Person to Operate Causing Death	X	X	257.904(7)
1350	Person Under 21 Refused Preliminary Breath Test			257.625a(2)
1355	Sold/Furnished Alcoholic Liquor to a Person Under 21			436.1701
1360	Person Under 21 Purchase/Consume/Possess Liquor			436.1703(1)
1450	Felonious Driving			257.626c
1630	Failed to Stop or Identify after P.D. Accident			257.618
1640	Gave False Info – Property Damage Accident			257.618
1650	Failed to Report Accident			257.621
1660	Failed to Provide Information or Render Aid after Accident			257.619
1805	Failure to Yield to Stationary Authorized Emergency Responder			257.653a(2)
1806	Failure to Use Due Caution for Stationary Authorized Emergency Responder			257.653a(2)
1809	Due Care and Caution for Waste-Utility-Road Maintenance Vehicles			257.653b
1810	Careless Driving			257.626b
1815	Occupant Under the Age of 18 in Open Bed of Pick-up Truck			257.682b
1820	Drag Racing			257.626a
2000	Speed 999/99			
2100	Limited Access Speed 999/99			257.628
2105	Speeding in Construction Zones			257.627(6)
2200	Energy Speed			257.629b(2)
2300	Violation of Basic Speed Law			257.627(1)
2310	Failed To Stop Within Assured Clear Distance			257.627(1)
2320	Drove Without Due Care and/or Caution			257.627(1)
2330	Failed to Drive Minimum Speed			257.628(8)

Appendix A

2400	Disobeyed Stop Sign			257.671
2410	Failed to Stop for School Bus			257.682
2420	Disobeyed School Crossing Guard			257.613d
2430	Improper Passing			
2440	Disobeyed Traffic Signal			257.612
2450	Failed to Stop at Railroad Crossing			
2500	Disobeyed Traffic Control Device			257.611
2510	Disobeyed Police Officer Directing Traffic Flow			257.602
2520	Improper Crossing - Divided Hwy			257.644
2600	Failed to Yield			257.649
2610	Failed to Yield to Emergency Vehicle			257.653
2620	Failed to Yield to Pedestrian			257.612
2630	Failed to Yield to Handicapped/Blind			257.612
2640	Failed to Stop Leaving Alley or Private Driv			257.652
2650	Failed to Signal and/or Observe			257.648
2660	Interfered with Traffic			257.649
2670	Impeded Traffic			257.676b
2675	Improper Operation – Automated Vehicle			257.665
2700	Improper Operation - School Bus			257.1873
2710	Improper Operation - Emergency Vehicle			257.603
2720	Improper Operation - Emergency Equipment			257.682c(1)
2730	Interfered with Fire Apparatus			257.679
2740	Unauthorized or Improper Use of Lights			
2800	Followed Too Closely			257.643
2810	Prohibited Turn			257.647
2820	Improper Turn			257.647
2830	Drove Wrong Way on One-Way Street			257.641
2840	Improper Lane Use			257.642(1)
2845	Violation of High-Occupancy Vehicle/Lane (HOV)			257.642(2)
2850	Drove Left of Center			
2860	Illegal Entrance/Exit - X-Way			257.645(1)
2870	Obstructed Vision or Control			
2900	Drove Moped on Sidewalk or Limited Access Hwy			257.660(6)
2910	Unlawful Rider on Motorcycle/Moped			257.658(2)(3)
2920	Motorcycle/Moped over Two Abreast			257.660(2)
3000	Failed to Display a Valid License			257.311
3005	Failed to Display Valid Graduated License Status			257.310e
3010	Drove While License Not Valid or Improper License			257.301
3011	Drove While Unlicensed or Without Cycle Endorsement			257.904a
3020	Drove w/o Proper License/Endorsement/Veh Group Designator			
3025	Driving a CMV Without Obtaining A CMV License			257.312e
3026	Driving a CMV Without a CMV License in Driver's Possession			257.312e
3027	Driving a CMV Without Proper Endorsement or Designator			257.312e

Appendix A

3030	Drove w/o Corrective Lens			257.312
3035	Violation of Graduated License Permit			257.310e(11)
3040	Violation of Instruction Permit			257.306
3050	Violation of License Restrictions			257.312
3060	Violation of Restricted License			257.312
3070	Violation of Financial Responsibility Law			257.905
3108	No Insurance Under the Insurance Code			500.3101
3110	Fraudulent/ False Insurance Information (Felony)			257.329
3120	Fraudulent/ False Insurance Information			257.328
3200	Drove While License Susp/Rev/Denied			257.904
3205	Driving CMV While Commercial Driver License is Suspended, Revoked, Denied or Cancelled			257.904
3210	Drove while License Suspended by FAC/FCJ			257.904
3220	Drove while License Expired			257.301
3230	Drove CMV while Disqualified			257.904
3255	Moving Violation Resulting in an At-fault Accident			257.320a
3280	Allowed Person to Drive in Violation of Vehicle Code			257.326
3290	Violation of Safety Belt Law			257.710e
3292	GDL 1 or 2 Driver Operating While Using Cellular Telephone			257.602c(1)
3295	Operating While Reading, Typing or Sending a Text Message			257.602b
3296	Texting While Operating a CMV	X-after second	X-after second	257.602b(2)
3297	Use of Hand Held Mobile Telephone While Operating a CMV	X-after second	X-after second	257.602b(3)
3300	Violation of Child Restraint Law			257.710d
3400	Equip Viol - Defective/ Missing			
3450	Failure to Redeem Abandoned Vehicle			257.252a
3455	Failure to Show Proof of Sale			257.24
3500	Registration and/ or Plate Violation			
3605	Display of Goods for Sale Within the Right-of Way of Highway			257.676a(1)(3)
3610	Possession of Stolen License Plate			257.257
3620	Failed to Change Address			257.228
3700	Failed to Submit to Truck Weighing when Required			257.724
3710	Improper Load or Towing			
3720	Overweight/ Over height/ Over width Vehicles/ Over length Vehicle			
3800	Driver License Hold - Unpaid Parking Tickets			257.321a
3810	2 or More Unpaid Disability Parking Tickets			257.321a
9005	Out of State Failure to Pay Judgment/Fines			
9006	Out of State Failure to Appear in Court			
9100	Ignition Interlock Device Violations			257.625L
9110	Ignition Interlock Device – Unauthorized Removal			257.322a
9120	Operating Without Ignition Interlock Device Properly Installed			257.625L

Appendix A

9130	Immobilization – violations			257.904e
9150	Obtaining Vehicle to Circumvent Immobilization			257.233(2)
9160	Transfer to Avoid Forfeiture			257.233
9170	Subject to Temporary Registration – Transfer to Person Not Subject to Use Tax			257.233(4)
9180	New Registration Applications by Holder of Assigned Plates			257.233(6)(7)
9190	Illegally Acquired Vehicle While Subject to Registration Denial			257.233(6)
9200	Drug Crime			
9210	False Report or Threat of Bomb/Harmful Device (School)			
9300	Failure to Comply with State Civil Infraction			