

MADCM Conference  
September 23, 2022  
MDOS Update

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**CARS:**

We have updated our instructions on how to read a driving record in CARS. You may find that updated version here:

[How to Read the Michigan Driving Record](#)

How to Read the Michigan Vehicle Record can be found here:

[sos\\_howtoreavehr.pdf \(michigan.gov\)](#)

**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.

If you need a list of the FAC/FCJ's that were removed from driving records pursuant to the Criminal Justice Reform, you may request same from Melissa Noll. Please email her at [nollm1@michigan.gov](mailto:nollm1@michigan.gov).

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. *This only pertains to their criminal record and does NOT remove and/or expunge the conviction from the applicant's driving record.*

### **2021 PA 82 – effective March 9, 2022**

Amends the statute to prescribe the time period in which an application to set aside a conviction for a first violation OWI offense would have to be filed. Under the statute, the applicant would have to wait 5 or more years to file an application for a first violation OWI offense.

Allows a person to apply to have set aside, and allow a judge to set aside, a first violation operating while intoxicated (OWI) offense. Certain violations, such as a drunk or drugged driving offense that caused the death or serious impairment of a bodily function of another person and any second or subsequent convictions for a drunk or drugged driving offense, would not be included in the offenses eligible to be set aside under the bills. Senate Bill 400 increases the waiting period before a person may petition a court to set aside a first violation OWI offense from three years to five years. *This only pertains to their criminal record and does NOT remove and/or expunge the conviction from the applicant's driving record.*

**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.

**House Bill No. 5755** – Beginning October 1, 2022, would allow the Michigan Department of State to issue an operator’s license to prisoners who are eligible once released on parole or discharged upon completion of his or her maximum sentence from the Department of Corrections. This would allow MDOS to deliver the operator’s license to MDOC before the projected date the prisoner is scheduled to be released.

**Road to Restoration Clinics** – MDOS is holding Road to Restoration Clinics over the next few months to help citizens understand their driving records and what needs to be done in order to resume their driving

privileges. Current cities are Dearborn, Grand Rapids, Detroit, Muskegon, Grand Rapids and Ypsilanti. You may register online.

[SOS - Road to restoration \(michigan.gov\)](https://www.michigan.gov/SOS)

## Restricted Licenses

- Restricted licenses will be issued as a hard card photo license starting March 16, 2021. (Please see sample below). Because of this, they will need to go into a Branch to make application and get their picture taken.
- 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](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).