SECRETARY OF SENATE
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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE ORDER

No. 2020-47

Temporary extension of the validity of certain driver's licenses, state identification cards, and vehicle registrations

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the thousands, and deep disruption to this state's economy, homes, and educational, civic, social, and religious institutions. On April 1, 2020, in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the Emergency Powers of the Governor Act of 1945.

The Emergency Management Act vests the governor with broad powers and duties to "cop[e] with dangers to this state or the people of this state presented by a disaster or emergency," which the governor may implement through "executive orders, proclamations, and directives having the force and effect of law." MCL 30.403(1)-(2). Similarly, the Emergency Powers of the Governor Act of 1945 provides that, after declaring a state of emergency, "the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control." MCL 10.31(1).

On March 13, 2020, Michigan's secretary of state announced that Department of State branch offices would be open on weekdays only for "critical services," which do not include license and registration renewals. This action is necessary and well designed to mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, but it may result in some individuals being unable to timely renew their license or registration. In order to facilitate the mobility necessary for survival during this crisis, and to ensure commercial drivers carrying essential supplies can continue to do so despite these temporary limitations on state operations, it is reasonable and necessary to temporarily extend the validity of certain operator's and chauffeur's licenses, state identifications, and vehicle registrations in this state.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Individuals must, to the best of their ability, complete a vehicle registration or license renewal online at www.michigan.gov/sos/ during the declared states of emergency and disaster.

2. Strict compliance with section 2 of 1972 PA 222 (state personal identification card), as amended, MCL 28.292, is temporarily suspended to the extent necessary to extend until June 30, 2020 the validity of a state personal identification card that expired or is set to expire between February 1, 2020 and May 31, 2020.

3. Strict compliance with sections 309 and 314 of the Michigan Vehicle Code, 1949 PA 300, as amended, MCL 257.309 and 257.314, is temporarily suspended to the extent necessary to extend until June 30, 2020 the validity of an operator's license or chauffeur's license that expired or is set to expire between February 1, 2020 and May 31, 2020.

4. Strict compliance with sections 303 and 312f of the Michigan Vehicle Code, MCL 257.303 and 257.312f, is temporarily suspended to the extent necessary to suspend any applicable medical certification requirement for operator's or chauffeur's license holders with a Group A, Group B, or Group C designation until June 30, 2020. Persons who would otherwise have to carry a valid medical certificate must carry a paper copy of an otherwise-valid medical certificate that expired on or after March 1, 2020.

5. Strict compliance with rules and procedures under section 216 of the Michigan Vehicle Code, MCL 257.216, is temporarily suspended to the extent necessary to allow an operator's or chauffeur's license holder with a Group A, Group B, or Group C designation to operate a commercial vehicle as though it had a valid vehicle registration until June 30, 2020, so long as that commercial vehicle has an otherwise-valid vehicle registration that expired on or after March 1, 2020.

6. Until June 30, 2020, driving with a vehicle registration, operator's license, or chauffeur's license that expired on or after February 1, 2020 does not constitute a violation of the Michigan Vehicle Code. Law enforcement officials must not arrest any person nor impound any vehicle as a result of a vehicle registration, operator's license, or chauffer's license that expired on or after February 1, 2020. The Department of State must not assess a late fee at renewal for a license or

registration that expired between February 1, 2020 and May 31, 2020, so long as renewal occurs by June 30, 2020. Nothing in this order prevents the Secretary of State from suspending or revoking an operator's or chauffeur's license, commercial learner's permit, vehicle designations, or endorsements on an operator's or chauffeur's license pursuant to the Michigan Vehicle Code.

7. The relief afforded by sections 3, 4, 5, and 6 of this order does not apply to:

   (a) A person who had their driving privileges suspended or revoked for traffic offenses.

   (b) A person who, since their last medical certificate was issued, has been diagnosed with a medical condition that would disqualify them from operating a commercial vehicle.

   (c) A person who, since their last medical certificate was issued, has developed a condition that requires an exemption or Skill Performance Evaluation from the Federal Motor Carrier Safety Administration.

8. This order is effective immediately.

Given under my hand and the Great Seal of the State of Michigan.

Gretchen Whitmer

Date: April 13, 2020

Time: 8:19 pm

GRETCHEN WHITMER
GOVERNOR

By the Governor:

SECRETARY OF STATE