



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 853 (as reported without amendment)
Sponsor: Senator Judy E. Emmons
Committee: Transportation

CONTENT

The bill would amend the Driver Education Provider and Instructor Act to revise requirements for a criminal history check of instructors and providers' representatives, by requiring a fingerprint-based system that would automatically provide notice of subsequent arrests.

The Act required the Department of Information Technology (now within the Department of Technology, Management, and Budget) to work with the Secretary of State and the Michigan State Police (MSP) to develop and implement an automated program that annually compares the conviction information received by the MSP with a Secretary of State list of people holding a driver education provider or instructor certificate, and the people designated as a representative or coordinator of a provider. The bill would delete this requirement.

The bill would require the Department of Technology, Management, and Budget, in collaboration with the State Police, to establish an automated fingerprint identification system database that would allow the MSP to store and maintain all fingerprints submitted under the Act, and that provided for automatic notification at the time a subsequent criminal arrest fingerprint card submitted into the system matched a set of prints previously submitted under the Act. Upon that notification, the MSP immediately would have to notify the Department of State, which would have to review the information in accordance with the criminal history record information criteria for an instructor under the Act.

The bill also would refer to six, rather than seven, hours of behind-the-wheel experience in a section prescribing driver training curricula.

MCL 256.649 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would make technical changes in order to make the background check language consistent with requirements for other professions and continue the Federal fingerprint-based process. There would be no new costs related to the bill.

Date Completed: 12-14-11

Fiscal Analyst: Bruce Baker
Bill Bowerman