

SENATE BILL NO. 792

November 12, 1997, Introduced by Senators BYRUM, CHERRY, O'BRIEN, MC MANUS, DE BEAUSSAERT, HART, STILLE, YOUNG, CONROY, A. SMITH, DINGELL, PETERS, KOIVISTO, BERRYMAN, VAUGHN and NORTH and referred to the Committee on Transportation and Tourism.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 208b (MCL 257.208b), as added by 1997 PA 100.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 208b. (1) The secretary of state may provide a commer-
2 cial look-up service of records maintained under this act. For
3 each individual record looked up, the secretary of state shall
4 charge a fee specified annually by the legislature, or if the
5 legislature does not specify a fee, a market-based price estab-
6 lished by the secretary of state. The secretary of state shall
7 process a commercial look-up request only if the request is in a
8 form or format prescribed by the secretary of state.

9 (2) A DRIVER TRAINING SCHOOL OPERATOR SHALL SUBSCRIBE TO THE
10 COMMERCIAL LOOK-UP SERVICE MAINTAINED BY THE SECRETARY OF STATE.

SB 792, As Passed Senate, December 10, 1997

SB 792 as amended December 9, 1997

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1 (3) A DRIVER TRAINING SCHOOL OPERATOR SHALL MAINTAIN ON THE
2 PREMISES OF THE DRIVER TRAINING SCHOOL THE MOST CURRENT COPY OF
3 ALL NONPERSONAL INFORMATION RELATED TO HIS OR HER DRIVING RECORD
4 AND THE DRIVING RECORD OF EACH INSTRUCTOR EMPLOYED BY THE DRIVER
5 TRAINING SCHOOL OPERATOR FOR REVIEW BY ANY PROSPECTIVE CUSTOMER
6 OR THE PARENT OR GUARDIAN OF A PROSPECTIVE CUSTOMER.

7 (4) A PROSPECTIVE CUSTOMER OR THE PARENT OR GUARDIAN OF A
8 PROSPECTIVE CUSTOMER MAY REVIEW A COPY OF ALL NONPERSONAL INFOR-
9 MATION RELATED TO THE DRIVING RECORD OF THE DRIVER TRAINING
10 SCHOOL OPERATOR OR AN INSTRUCTOR EMPLOYED BY THE DRIVER TRAINING
11 SCHOOL OPERATOR.

(5) BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
ADDED THIS SUBSECTION, A DRIVER TRAINING SCHOOL OPERATOR THAT
ADVERTISES THE AVAILABILITY OF ITS SERVICES TO THE GENERAL PUBLIC
SHALL INCLUDE IN THAT ADVERTISEMENT THAT NONPERSONAL INFORMATION
RELATED TO THE DRIVING RECORD OF EACH INDIVIDUAL INSTRUCTOR IS
AVAILABLE FOR REVIEW BY THE GENERAL PUBLIC AT THE BUSINESS ADDRESS
OF THE OWNER. A DRIVER TRAINING SCHOOL OPERATOR THAT FAILS TO
INCLUDE THE INFORMATION REQUIRED BY THIS SUBSECTION IN ITS
ADVERTISING IS SUBJECT TO A FINE OF NOT MORE THAN \$500.00.

12 (6) ~~(2)~~ The secretary of state shall not provide an entire
13 computerized central file or other file of records maintained
14 under this act to a nongovernmental person or entity, unless the
15 person or entity pays the prescribed fee for each individual
16 record contained within the computerized file.

17 (7) A DRIVER TRAINING SCHOOL OPERATOR WHO FAILS TO PROVIDE
18 THE INFORMATION REQUIRED TO BE MAINTAINED BY THIS SECTION IS
19 SUBJECT TO A FINE OF NOT MORE THAN \$500.00. EACH FAILURE TO PRO-
20 VIDE INFORMATION CONSTITUTES A SEPARATE OFFENSE.

21 (8) AS USED IN THIS SECTION, "DRIVER TRAINING SCHOOL
22 OPERATOR" MEANS A PERSON LICENSED TO OPERATE A DRIVER TRAINING
23 SCHOOL UNDER 1974 PA 369, MCL 256.601 TO 256.609.