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REVISE GRADUATED DRIVERS LICENSE ACT

House Bill 4778
Sponsor: Rep. Paul DeWeese
Committee: Transportation

Complete to 3-9-00

A SUMMARY OF HOUSE BILL 4778 AS INTRODUCED 6-11-99

House Bill 4778 would revise several provisions of the graduated driver license program that was adopted by the legislature as Public Act 387 of 1996. The act was amended three years later by Public Act 40 of 1999 to remove the sunset date specified in the original act.

Specifically, House Bill 4778 would amend the Michigan Vehicle Code to specify that, for purposes of accumulating the minimum number of hours of on-the-road driving time required by the act, one hour of driving time on a driving range would be equal to one hour on the road, and that three hours of behind-the-wheel time in a driving simulator would be equal to one hour on the road. (A simulator is described as a device that simulates actual driving conditions.) The bill also specifies that a minimum of three class hours of on-the-road driving experience would be required on the public streets and highways.

House Bill 4778 also provides that a person who corrupts or attempts to corrupt a designated examining officer appointed or designated by the secretary of state, by giving or promising any gift or gratuity with the intent to influence the decision of the examining officer conducting a test, would be guilty of a felony. Under the bill, this provision would be added to two sections of the code.

Currently an operator's license issued to a person who is at least 14 years of age and under 16 years of age expires one year after it is issued. Under the bill that operator's license would expire on the birthday following issuance, or if the birthday was within six months after issuance, then one year after the birthday.

Currently the law specifies that the license of a minor must be canceled by the commissioner upon the written request of the person who signed the minor's application for license. House Bill 4778 specifies that the license of a minor would have to be canceled by the secretary of state upon the written request of the custodial parent, or parents, or legal guardian of the minor. Further and at their request, the secretary of state could reduce a minor's graduated driver license level, or delay the minor's advancement to the next level.

Currently under the law, the secretary of state deposits the fee revenue from the sale of operators' licenses in the state treasury to the credit of the general fund. However, the secretary of state refunds a portion of those fees to each county or municipality acting as an examining officer or bureau. In addition, the state treasurer deposits the sum of \$4 in a Driver Education Fund for each

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person examined for a license, and the Department of Education is required to use that money to administer a driver education program, and also to distribute funds to local school districts for their driver education programs. From the money credited to the Driver Education Fund, the legislature annually appropriates funds to the Department of Education to administer the driver education program, and under the law the department must distribute to local public school districts a pro rata amount equal to the number of students who complete an approved driver education course offered by the district. If the school district does not offer a program, then the pro rata share is distributed to a licensed driver training school, or another local school district offering the program. House Bill 4778 specifies that this pro rata distribution would be equal to the number of students who had completed segment one of an approved driver education course offered through the local public school district, or by a driver training school, or another school district.

Under current law, enrollment in approved driver education courses is open to children enrolled in the high school grades of public, parochial, and private schools, as well as to resident out-of-school youth. House Bill 4778 specifies that enrollment would be open to residents not less than 14 years 9 months of age enrolled in public, nonpublic, and home schools, as well as resident out-of-school youth not less than 14 years 9 months of age.

House Bill 4778 would delete a number of the code's provisions. In particular, the bill would eliminate the provision in the law that requires the secretary of state to charge an \$11 road test fee for an operator's or a chauffeur's license. The bill also would delete remaining references to the repeal date of April 1, 2002 that was contained in the act to create the graduated licensing program, Public Act 387 of 1996. That sunset date was later repealed when the legislature enacted Public Act 40 of 1999.

Currently, the law specifies that points are not to be entered for violation of section 310e(15) of the vehicle code, a section which concerns people 15 years of age or older who had not completed a driver education course or acquired a license on April 1, 1997. Under the bill, that reference would be deleted, and instead the law would specify that points would not be entered for violation of section 310e(14). Section 310e(14) of the code requires that a person have his or her graduated licensing status in immediate possession at all times when operating a motor vehicle, and display the card upon demand of a police officer. A person who violates this subsection is responsible for a civil infraction.

The bill would eliminate an outdated provision that specifies that until April 1, 1998, driver education courses must be conducted by the local public school district, or by the intermediate school district at the request of the local school district. It would eliminate a provision that until April 1, 1998, prohibited a public school system from imposing a charge or enrollment fee for a driver education course.

Finally, House Bill 4778 would delete a section that requires that not later than December 30, 1996, the secretary of state prepare and submit to the legislature a report comparing aggregate

driver record information for drivers trained in driver education programs for which eligibility requirements had been established, to aggregate driver record information for drivers trained in programs for which such eligibility requirements had not been established.

MCL 257. 306 et al

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.