

DRIVER IMPROVEMENT COURSE

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Senate Bill 1262 as passed by the Senate
Sponsor: Sen. John Pappageorge
House Committee: Transportation
Senate Committee: Transportation

Complete to 12-1-10

A SUMMARY OF SENATE BILL 1262 AS PASSED BY THE SENATE 7-28-10

Senate Bill 1262 (S-3) would amend the Michigan Vehicle Code to revise the provisions permitting an individual who is issued a citation to take a driver improvement course. The bill would do the following:

- Require an approved sponsor, rather than the course participant, to submit a certificate of completion of a basic driver improvement course to the Secretary of State (SOS).
- Revise the provisions for entering points on the driver record of a person who does not attend or fails to successfully complete a basic driver improvement course.
- Specify that an individual would not be eligible to take a driver improvement course for a second or subsequent offense within the 60-day period during which the person may take a driver improvement course.
- Require an approved sponsor to collect the fee for a basic driver improvement course and remit to the department a portion of that fee for the Basic Driver Improvement Course Fund.

Certificate of Completion. Under the Vehicle Code, beginning December 31, 2010, an individual who is issued a citation for a moving violation can choose to attend a basic driver improvement course under certain circumstances.

The SOS may not enter points on an individual's driving record for a moving violation or make information concerning that violation available to an insurance company if the individual attends and successfully completes a basic driver improvement course and provides a certificate of successful completion of the course within 60 days after being notified of his or her eligibility to take the course.

Senate Bill 1262 (S-3) would require an "approved sponsor" (rather than the individual) to provide the certificate of completion under that provision.

(Under the Code, "approved sponsor" means a sponsor of a basic driver improvement course that is approved by the Secretary of State. The Secretary of State must approve a sponsor if the course offered by the sponsor satisfies specified requirements.)

Points for Moving Violation. Currently, the Code requires the Secretary of State (SOS), upon receiving an abstract of a moving violation, to determine if an individual is eligible to attend a basic driver improvement course.

Upon determining that the individual is eligible, the SOS must wait at least 10 business days before entering points for the moving violation and making information contained in the abstract available to the individual's insurance company. The SOS must notify the individual that if the failure to inform the SOS of the intent to attend a basic driver improvement course will result in points being entered for the moving violation. Senate Bill 1262 (S-3) would delete these provisions.

The SOS must enter the points for a moving violation on the individual's driver record 10 business days after an individual fails to notify the SOS that he or she desires to attend a basic driver improvement course, or 60 days after an individual has notified the SOS that he or she desires to attend such a course but has failed to submit a certificate of successful completion of the course. Senate Bill 1262 (S-3) would also delete these provisions.

Instead, under the bill, the SOS would have to enter the points required under the Code if an approved sponsor did not provide notice of successful completion of the course by the individual within the 60-day period after the SOS notified the individual of his or her eligibility.

The bill also specifies that an individual would not be eligible to take a driver improvement course for a second or subsequent violation within the 60-day period.

Course Fee. Now the Code requires that an individual be charged a fee of no more than \$100 to participate in a basic driver improvement course. Senate Bill 1262 (S-3) would require an approved sponsor to charge that fee and remit a portion of the fee to the department, as determined annually by the SOS, in order to cover the costs of implementing and administering the program.

Currently, the fees collected must be credited to the Basic Driver Improvement Course Fund. Senate Bill 1262 (S-3) would retain this practice, requiring the fees remitted by an approved sponsor to be credited to that Fund.

MCL 257.320d

FISCAL IMPACT:

Senate Bill 1262 would have no fiscal impact on state or local government. The bill would, in part, adjust the method of remitting the driver improvement course fee to the Basic Driver Improvement Course Fund. The maximum fee for the driver improvement course would not be affected.

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■ 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.