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 BILL ANALYSIS

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Senate Bill 1262 (as enacted)
Sponsor: Senator John Pappageorge
Senate Committee: Transportation
House Committee: Transportation

PUBLIC ACT 289 of 2010

Date Completed: 1-14-11

CONTENT

The bill amended Section 320d of the Michigan Vehicle Code, which permits an individual who is issued a citation to take a driver improvement course, to do the following:

- **Require an approved course sponsor, rather than the individual, to submit a certificate of completion of the 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 complete the course.**
- **Specify that an individual is not eligible to take a driver improvement course for a second or subsequent offense within the 60-day period during which the person may take the course.**
- **Require an approved sponsor to collect the fee for the course and remit a portion of that fee for the Basic Driver Improvement Course Fund.**

The bill took effect on December 16, 2010.

(Section 320d was enacted by Public Act 568 of 2008, which took effect on December 31, 2010.)

Certificate of Completion

Under Section 320d, an individual who is issued a citation for a moving violation may 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 any insurance company if the individual attends and successfully completes a basic driver improvement course. Originally, Section 320d also required the individual to provide a certificate of successful completion of the course within 60 days of the date on which the SOS notified the individual that he or she was eligible to take the course.

The bill requires an approved sponsor to provide the certificate of completion.

(An "approved sponsor" is a sponsor of a basic driver improvement course that is approved by the SOS.)

Points for Moving Violation

Section 320d requires the SOS, upon receiving an abstract of a moving violation, to determine if an individual is eligible to attend a basic driver improvement course. If the individual is eligible, the SOS must notify the person of his or her eligibility and inform him or her of the location of basic driver improvement courses and of the manner and time within which the individual is required to attend a course. Under the bill, the SOS also must inform the individual of the manner and time to complete a course.

Originally, Section 320d required the SOS, upon determining that the individual was eligible, to 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 also was required to notify the individual that if he or

she failed to inform the SOS of his or her intent to attend a basic driver improvement course, points would be entered for the moving violation. The bill deleted those provisions.

collected and remitted to the Fund, which must be used by the Secretary of State for costs associated with the program.

Fiscal Analyst: Joe Carrasco

Section 320d also required the SOS to enter the points for a moving violation on an individual's driver record 10 business days after the person failed to notify the SOS that he or she desired to attend a basic driver improvement course, or 60 days after an individual notified the SOS that he or she desired to attend a course but failed to submit a certificate of successful completion. The bill deleted those provisions.

Instead, the SOS must enter the points required under the Code if an approved sponsor does not provide notice of the individual's successful completion of the course within 60 days after the SOS notified the individual of his or her eligibility.

Subsequent Violation

The bill specifies that an individual is not eligible to take a driver improvement course for a second or subsequent violation within the 60-day period after the SOS notified the individual of his or her eligibility.

Course Fee

Section 320d requires an individual to be charged a fee of not more than \$100 to participate in a basic driver improvement course. The bill requires an approved sponsor to charge that fee and remit a portion of the fee, as determined annually by the SOS, to cover the costs of implementing and administering the program.

Originally, Section 320d required the fees collected to be credited to the Basic Driver Improvement Course Fund. The bill requires the fees remitted by an approved sponsor to be credited to that Fund.

MCL 257.320d

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill will have no fiscal impact on State or local government. The bill clarifies how the basic driver improvement course fee is to be

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.