

Rep. Jenkins offered the following resolution:

House Resolution No. 75.

A resolution to express opposition to the federal government withholding road funding to the states based on passage of the Safe Teen and Novice Driver Uniform Protection Act (STAND UP Act).

Whereas, The federal government continues to overstep its bounds and involve itself in issues that should clearly be left up to the states by ignoring the tenets of the Tenth Amendment to the U.S. Constitution and by misapplying the Commerce Clause. In many cases the federal government attempts to use the denial of federal funding as budgetary coercion in areas the federal government knows it has no authority in which to otherwise interfere; and

Whereas, Michigan, on its own, already has one of the more robust three-stage graduated licensing programs in the country, and overall traffic related deaths are at record lows. Despite these facts, members of Congress have introduced the Safe Teen and Novice Driver Uniform Protection Act (STAND UP Act), that, if passed, would subject Michigan to minimum federal requirements for state graduated driver license laws or else face the withholding of a portion of federal highway program funds by the U.S. Department of Transportation; and

Whereas, Despite the success of Michigan's current driver licensure laws, Michigan would not currently be in compliance with the STAND UP Act. It would require our young drivers to delay the beginning of the licensing process and submit them to restrictions for longer periods of time. In many cases, the proposed federal law would make defacto curfew changes for our nation's youth, which should be decisions made by the states and local authorities. Unreasonable restrictions can also stress families who rely on teen drivers for errands, chores, or sibling care, and youth who participate in sports leagues, church-related events, or live in rural areas where mass transit options are not available. There do not appear to be provisions in the proposal for emergency driving exceptions, and in many cases the law will put more young drivers on the road, not fewer; and

Whereas, When mandated restrictions on driver licensure are necessary, state, rather than federal, oversight is more appropriate. The STAND UP Act is an example of the federal government overreaching its constitutionally delegated powers and intruding on sovereign state control. The Tenth Amendment to the Constitution of the United States defines the scope of federal power as being that specifically granted by the Constitution and no more. This federal mandate violates the Constitution, which reserves sovereign powers not granted to the federal government for the states; now, therefore, be it

Resolved by the House of Representatives, That we oppose the withholding of federal road funding based on passage of the STAND UP Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.