



HOUSE BILL No. 5438

March 27, 2014, Introduced by Reps. Brown, LaVoy, Stanley, Segal, Rogers, Knezek, Dillon, Clemente, Dianda, Geiss, Lamonte, Brinks, Yanez, Switalski, Brunner, Smiley, Phelps, Townsend, Slavens, McCann, Kandrevas, Cochran, Potvin, Bumstead, Singh, Roberts, Kivela, Zemke, Banks, Irwin, Faris, Lane, Callton, Lipton, Darany, Schor, Abed, Greimel, Rutledge, Nathan, Haugh, Graves, Santana, Olumba, Forlini, Victory, VerHeulen, Lori, Tlaib, Haines, Hobbs, Hovey-Wright, Barnett, Walsh, Durhal, Talabi, Stallworth, Robinson, Muxlow, Kurtz, Johnson, McBroom, Denby, Haveman, Driskell, Pagel, Glardon, McCready, LaFontaine, Schmidt, Daley, Howrylak, Heise and Oakes and referred to the Committee on Transportation and Infrastructure.

A bill to amend 2006 PA 384, entitled
"Driver education provider and instructor act,"
by amending section 37 (MCL 256.657).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 37. (1) A segment 1 curriculum shall include both
2 classroom and behind-the-wheel driver education course experience.
3 The classroom instruction and behind-the-wheel instruction shall be
4 integrated, relate to each other, and meet the following
5 requirements:

6 (a) Each student shall receive not less than 24 hours of
7 classroom instruction. Classroom instruction shall be scheduled to
8 occur as follows:

9 (i) Classroom instruction shall occur not more than 2 hours per
10 day.

11 (ii) Classroom instruction shall occur over the course of 3 or

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1 more weeks.

2 (iii) Classroom instruction of 4 or more hours shall be received
3 before the student begins to receive behind-the-wheel instruction.

4 (iv) **CLASSROOM INSTRUCTION SHALL INCLUDE INFORMATION CONCERNING**
5 **THE LAWS PERTAINING TO BICYCLES AND MOTORCYCLES AND SHALL EMPHASIZE**
6 **AWARENESS OF THEIR OPERATION ON THE STREETS, ROADS, AND HIGHWAYS OF**
7 **THIS STATE. [AS USED IN THIS SUBDIVISION, "CLASSROOM INSTRUCTION"**
8 **INCLUDES, BUT IS NOT LIMITED TO, THE USE OF AN ONLINE COURSE OFFERED ON**
9 **THE INTERNET BY AN ONLINE COURSE PROVIDER APPROVED BY THE SECRETARY OF**
10 **STATE.]**

11 (v) ~~(iv)~~ Behind-the-wheel instruction of 3 or more hours shall
12 be completed before classroom instruction terminates.

13 (b) Each student shall receive not less than 6 hours of
14 behind-the-wheel instruction or substitute hours permitted under
15 this subsection. Behind-the-wheel instruction shall be scheduled to
16 occur as follows:

17 (i) A student shall receive not more than 1 hour of behind-the-
18 wheel instruction per day.

19 (ii) Not more than 1 student shall occupy the front seat of the
20 vehicle with the instructor.

21 (iii) A driver education motor vehicle shall contain not more
22 than 4 students during behind-the-wheel instruction.

23 (iv) Not later than 3 weeks after the last classroom
24 instruction has been completed, a student shall complete any
25 remaining required behind-the-wheel instruction.

26 (v) Except as otherwise provided in this section, a student
27 may receive instruction while operating a motor vehicle at a
multiple vehicle driving facility. One hour of instruction received
at a multiple vehicle driving facility may substitute as credit for
1 hour of behind-the-wheel experience. A maximum of 2 hours of

1 behind-the-wheel experience can be substituted with instruction
2 received at a multiple vehicle driving facility.

3 (c) A student shall receive 4 or more hours of behind-the-
4 wheel observation time.

5 (2) A driver education provider classified for teen driver
6 training shall not substitute behind-the-wheel instruction with
7 multiple vehicle driving facility experience until the secretary of
8 state gives the provider written approval for that substitution as
9 provided in this act.

10 (3) A driver education provider classified for teen driver
11 training shall not substitute behind-the-wheel driving experience
12 with simulator device training.

13 (4) As used in this section:

14 (a) "Integrated" means classroom and behind-the-wheel
15 instruction scheduled to include a mix of classroom and behind-the-
16 wheel instruction throughout the duration of the driver education
17 course, except as otherwise provided in this section.

18 (b) "Observation time" means the time a student in a driver
19 education course sits in the rear seat of a vehicle and observes
20 another student in the front seat behind the wheel operating the
21 controls of the vehicle, responding to driving situations, and with
22 an instructor sitting in the front seat.