

HOUSE BILL No. 4781

May 29, 2013, Introduced by Reps. Jacobsen, Denby, Pagel, Forlini, Schmidt, Jenkins, Kesto, Zorn, Pettalia, Lyons, Yonker, Bumstead, Potvin, Kowall, MacGregor and Foster and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 306 (MCL 257.306), as amended by 2011 PA 159.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 306. (1) The secretary of state, upon receiving an
2 application for a temporary instruction permit from a person who is
3 18 years of age or older, may issue that permit entitling the
4 applicant, while carrying the permit, to drive a motor vehicle
5 other than a motor vehicle requiring an indorsement under section
6 312a or a vehicle group designation under section 312e upon the
7 highways for a period of 180 days when accompanied by a licensed
8 adult operator or chauffeur who is actually occupying a seat beside
9 the driver.

10 (2) The secretary of state may issue an original operator's

1 license and designate level 1, 2, or 3 graduated licensing
2 provisions to a person who is less than 18 years of age, has been
3 licensed in another state or country, and has satisfied the
4 applicable requirements of section 310e.

5 (3) A student enrolled in a driver education course as that
6 term is defined in section 3 of the driver education provider and
7 instructor act, 2006 PA 384, MCL 256.623, or a motorcycle safety
8 course approved by the department of state may operate a motor
9 vehicle without holding an operator's license or permit while under
10 the direct supervision of the program instructor.

11 (4) A student enrolled in a driver education course as that
12 term is defined in section 3 of the driver education provider and
13 instructor act, 2006 PA 384, MCL 256.623, and who has successfully
14 completed 10 hours of classroom instruction and the equivalent of 2
15 hours of behind-the-wheel training may be issued a temporary driver
16 education certificate furnished by the department of state that
17 authorizes a student to drive a motor vehicle, other than a motor
18 vehicle requiring an indorsement ~~pursuant to~~ **UNDER** section 312a or
19 a vehicle group designation ~~pursuant to~~ **UNDER** section 312e, when
20 accompanied by a licensed parent or guardian, or when accompanied
21 by a nonlicensed parent or guardian and a licensed adult for the
22 purpose of receiving additional instruction until the end of the
23 student's driver education course.

24 (5) ~~The~~ **BEGINNING JANUARY 1, 2014, THE** secretary of state,
25 upon receiving proper application from a person 16 or 17 years of
26 age who is enrolled in or has successfully completed an approved
27 motorcycle safety course under section 811a, or a person who is 18

1 years of age or older and who holds a valid operator's or
2 chauffeur's license, may issue a motorcycle temporary instruction
3 permit entitling the applicant, while carrying the permit, to
4 operate a motorcycle upon the public streets and highways for a
5 period of 180 days ~~, but only when under the constant visual~~
6 ~~supervision of a licensed motorcycle operator at least 18 years of~~
7 ~~age. The applicant shall not operate the motorcycle at night or~~
8 ~~with a passenger.~~ **UNDER THE FOLLOWING CONDITIONS:**

9 (A) THE APPLICANT SHALL OPERATE THE MOTORCYCLE UNDER THE
10 CONSTANT VISUAL SUPERVISION OF A LICENSED MOTORCYCLE OPERATOR WHO
11 IS AT LEAST 18 YEARS OF AGE.

12 (B) THE APPLICANT SHALL NOT OPERATE THE MOTORCYCLE AT NIGHT.

13 (C) THE APPLICANT SHALL NOT OPERATE THE MOTORCYCLE WITH A
14 PASSENGER.

15 (D) THE APPLICANT SHALL NOT BE ELIGIBLE FOR MORE THAN 2
16 MOTORCYCLE TEMPORARY INSTRUCTOR PERMITS IN A 10-YEAR PERIOD.

17 (6) Except as prohibited under federal law, the secretary of
18 state, upon receiving proper application from a person who is 18
19 years of age or older, who holds a valid operator's or chauffeur's
20 license other than a restricted license, and who has passed the
21 knowledge test for an original vehicle group designation or
22 indorsement, and, if the person is applying for a hazardous
23 material indorsement, the person has been approved for the
24 hazardous materials indorsement by the transportation security
25 administration, may issue a temporary instruction permit entitling
26 the person, while carrying the permit, to drive a vehicle requiring
27 a vehicle group designation or vehicle group indorsement under

1 section 312e upon the streets and highways for a period of 180
2 days, but only when accompanied by a licensed adult operator or
3 chauffeur who is licensed with the appropriate vehicle group
4 designation and indorsement for the vehicle group being driven and
5 who is actually occupying a seat beside the driver, or behind the
6 driver if the permittee is driving a bus or school bus. In
7 addition, if a permittee is enrolled in a driver training program
8 for drivers of motor vehicles requiring a vehicle group designation
9 or vehicle group indorsement under section 312e, which program is
10 conducted by a college, a university, a school licensed by the
11 department under the driver education provider and instructor act,
12 2006 PA 384, MCL 256.621 to 256.705, or a local or intermediate
13 school district, the permittee may drive a vehicle requiring a
14 vehicle group designation or vehicle group indorsement on the
15 streets and highways of this state for a period of 180 days when
16 accompanied by an instructor licensed with the appropriate vehicle
17 group designation and indorsement for the vehicle being driven who
18 is either occupying the seat beside the driver or in direct visual
19 and audio communication with the permittee. A person issued a
20 temporary instruction permit under this section shall not operate a
21 vehicle designed to carry 16 or more passengers that is
22 transporting passengers except with an instructor licensed with the
23 appropriate vehicle group designation and indorsement for the
24 vehicle being driven or a driver skills test examiner.

25 Enacting section 1. This amendatory act takes effect January
26 1, 2014.