

HOUSE BILL No. 5129

December 9, 2015, Introduced by Rep. Pettalia 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), as amended by 2014 PA 317.

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
10 per day.

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

1 more weeks.

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

5 (iv) Classroom instruction shall include information
6 concerning the laws pertaining to bicycles and motorcycles and
7 shall emphasize awareness of their operation on the streets, roads,
8 and highways of this state.

9 (v) **CLASSROOM INSTRUCTION SHALL INCLUDE INFORMATION CONCERNING**
10 **THE REQUIREMENT UNDER SECTION 653A OF THE MICHIGAN VEHICLE CODE,**
11 **1949 PA 300, MCL 257.653A, TO PROCEED WITH CAUTION AND YIELD THE**
12 **RIGHT-OF-WAY TO A STATIONARY AUTHORIZED EMERGENCY VEHICLE OR REDUCE**
13 **SPEED AND SHALL ALSO ENCOURAGE STUDENTS TO MOVE OVER OR SLOW DOWN**
14 **FOR ANY OTHER STATIONARY VEHICLE THAT HAS ITS FRONT AND REAR**
15 **WARNING LAMPS ACTIVATED.**

16 (vi) ~~(v)~~ Behind-the-wheel instruction of 3 or more hours shall
17 be completed before classroom instruction terminates.

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

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

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

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

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

4 (v) Except as otherwise provided in this section, a student
5 may receive instruction while operating a motor vehicle at a
6 multiple vehicle driving facility. One hour of instruction received
7 at a multiple vehicle driving facility may substitute as credit for
8 1 hour of behind-the-wheel experience. A maximum of 2 hours of
9 behind-the-wheel experience can be substituted with instruction
10 received at a multiple vehicle driving facility.

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

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

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

21 (4) As used in this section:

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

26 (b) "Observation time" means the time a student in a driver
27 education course sits in the rear seat of a vehicle and observes

1 another student in the front seat behind the wheel operating the
2 controls of the vehicle, responding to driving situations, and with
3 an instructor sitting in the front seat.

4 (5) This section shall be known and may be cited as the
5 "Nathan Bower act".

6 Enacting section 1. This amendatory act takes effect 90 days
7 after the date it is enacted into law.