

DRIVER EDUCATION PROVIDER AND INSTRUCTOR ACT (EXCERPT)
Act 384 of 2006

256.691 Cease and desist order; temporary cease and desist order.

Sec. 71.

(1) If the secretary of state determines after notice and opportunity for a hearing that a person has committed a violation listed in section 69(1), the secretary of state may issue an order requiring the person to cease and desist from the unlawful method, act, or practice or to take an affirmative action that in the judgment of the secretary of state will carry out the purposes of this act, including, but not limited to, payment of restitution to a customer.

(2) If the secretary of state makes a finding of fact in writing that the public interest will be irreparably harmed by a delay in issuing an order, the secretary of state may issue a temporary cease and desist order. Before issuing a temporary cease and desist order, the secretary of state, when possible by telephone or otherwise, shall notify the person, the driver education provider, or the driver education instructor of the secretary of state's intention to issue a temporary cease and desist order. A temporary cease and desist order shall include in its terms a provision stating that upon request a hearing shall be held within 30 days to determine whether or not the order shall become permanent.

History: 2006, Act 384, Eff. Oct. 1, 2006