

**SUBSTITUTE FOR
SENATE BILL NO. 886**

A bill to amend 2006 PA 384, entitled
"Driver education provider and instructor act,"
by amending sections 23 and 25 (MCL 256.643 and 256.645).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 23. (1) A college or university or a person approved by
2 the secretary of state may present a driver education instructor
3 preparation program. A college, university, or person shall not
4 offer to engage or engage in the activity of presenting a driver
5 education instructor preparation program without the prior approval
6 of the secretary of state.

7 (2) A college, university, or person may apply to the
8 secretary of state for approval to conduct a driver education
9 instructor preparation program. A college, university, or person

1 seeking approval shall present satisfactory evidence to the
2 secretary of state as prescribed by the secretary of state that the
3 college's, university's, or person's proposed program meets the
4 requirements of this section.

5 (3) The secretary of state shall review and approve a driver
6 education instructor preparation program that meets the
7 requirements of this section. The secretary of state shall give the
8 college, university, or person requesting approval a written notice
9 of the secretary of state's approval or denial, including the
10 reason for any denial.

11 (4) A DRIVER EDUCATION INSTRUCTOR PREPARATION PROGRAM PROVIDER
12 SHALL MAINTAIN COMPLETION RECORDS, CLASS SCHEDULES, ATTENDANCE
13 RECORDS, REPORTS, OR ANY OTHER DOCUMENTS OR INFORMATION REQUIRED BY
14 THE SECRETARY OF STATE OR THIS ACT AT A LOCATION AND IN A FORMAT
15 THAT IS EASILY ACCESSIBLE TO THE SECRETARY OF STATE.

16 (5) THE SECRETARY OF STATE MAY REQUIRE THE INFORMATION
17 DESCRIBED IN SUBSECTION (4) TO BE MAINTAINED OR FILED
18 ELECTRONICALLY OR AS PRESCRIBED BY THE SECRETARY OF STATE.

19 (6) A DRIVER EDUCATION INSTRUCTOR PREPARATION PROGRAM PROVIDER
20 SHALL MAKE THE INFORMATION DESCRIBED IN SUBSECTION (4) AVAILABLE
21 FOR INSPECTION BY THE SECRETARY OF STATE OR HIS OR HER AUTHORIZED
22 REPRESENTATIVE AT REASONABLE TIMES.

23 (7) A DRIVER EDUCATION INSTRUCTOR PREPARATION PROGRAM PROVIDER
24 SHALL MAINTAIN THE RECORDS REQUIRED UNDER SUBSECTION (4) FOR EACH
25 STUDENT FOR NOT LESS THAN 4 CALENDAR YEARS AFTER THE STUDENT HAS
26 CEASED RECEIVING INSTRUCTION FROM THE PROVIDER.

27 (8) ~~(4)~~—The secretary of state shall prepare a driver

1 education instructor preparation program guide as a model for how
2 to conduct a driver education instructor preparation program. The
3 model program guide shall identify the content, **CURRICULUM,**
4 **ADMINISTRATION, AND DELIVERY METHOD** of each course identified in
5 subsection ~~(7)~~-(11). **THE MODEL PROGRAM GUIDE SHALL NOT REQUIRE A**
6 **TOTAL NUMBER OF HOURS FOR THE COURSES DESCRIBED IN SUBSECTION**
7 **(11) (A) TO (C) IN EXCESS OF APPLICABLE NATIONALLY RECOMMENDED**
8 **STANDARDS BY THE ASSOCIATION OF NATIONAL STAKEHOLDERS IN TRAFFIC**
9 **SAFETY EDUCATION.**

10 ~~— (5) Beginning September 1, 2007, a driver education instructor~~
11 ~~preparation program shall consist of not less than 4 driver~~
12 ~~education preparation courses.~~

13 (9) ~~(6)~~ A college, university, or person seeking approval of a
14 driver education instructor preparation **PROGRAM OR** course shall
15 present evidence satisfactory to the secretary of state that the
16 proposed **PROGRAM OR** course meets the requirements of this section
17 **AND THIS ACT.** The secretary of state shall review a driver
18 education instructor preparation **PROGRAM OR** course and determine
19 whether that **PROGRAM OR** course meets the requirements of this act.
20 ~~The secretary of state shall prescribe the administration and~~
21 ~~curriculum of a driver education instructor preparation course. The~~
22 secretary of state shall give the college, university, or person
23 requesting approval written notice of the secretary of state's
24 approval or denial, including the reason for any denial.

25 (10) **IF THE SECRETARY OF STATE AMENDS THE DRIVER EDUCATION**
26 **INSTRUCTOR PREPARATION PROGRAM GUIDE PRESCRIBED UNDER SUBSECTION**
27 **(8), THE SECRETARY OF STATE SHALL PROVIDE A DRIVER EDUCATION**

1 INSTRUCTOR PREPARATION PROGRAM PROVIDER AT LEAST 90 DAYS TO MODIFY
2 ITS PROGRAM OR COURSES AND SUBMIT THOSE CHANGES TO THE SECRETARY OF
3 STATE FOR APPROVAL. THE SECRETARY OF STATE SHALL MEET WITH APPROVED
4 DRIVER EDUCATION INSTRUCTOR PREPARATION PROGRAM PROVIDERS NO LESS
5 THAN ONCE EVERY 2 YEARS TO ENSURE THAT THE MODEL PROGRAM GUIDE IS
6 CURRENT AND TO DISCUSS THE UTILIZATION OF TECHNOLOGY AS A CONTENT
7 DELIVERY METHOD.

8 (11) ~~(7)~~ A driver education instructor preparation program
9 shall consist of not less than 4 driver education instructor
10 preparation courses. The 4 required courses shall each concentrate
11 on only 1 of the following concepts, and all of the following
12 concepts shall be covered in the minimum 4 courses required:

13 (a) ~~Driver~~ A DRIVER task analysis AND DRIVER EDUCATION PROGRAM
14 KNOWLEDGE COURSE THAT SHALL INCLUDE A WRITTEN TEST PRESCRIBED BY
15 THE SECRETARY OF STATE THAT DEMONSTRATES SATISFACTORY KNOWLEDGE OF
16 THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, AND
17 DRIVER EDUCATION PROGRAM KNOWLEDGE.

18 (b) ~~Developing~~ A DEVELOPING classroom and program knowledge
19 COURSE. THIS SUBDIVISION DOES NOT APPLY TO A TEACHER WHO HOLDS A
20 VALID TEACHING CERTIFICATE ISSUED UNDER THE REVISED SCHOOL CODE,
21 1976 PA 451, MCL 380.1 TO 380.1852, IF THAT TEACHER IS ABLE TO TEST
22 OUT OF THE COURSE AS APPROVED BY THE SECRETARY OF STATE.

23 (c) ~~Developing~~ A DEVELOPING vehicle operation skills COURSE.

24 (d) ~~Practicum~~ A PRACTICUM. THE PRACTICUM MAY NOT BE OFFERED
25 UNTIL THE COURSES DESCRIBED IN SUBDIVISIONS (A) TO (C) HAVE BEEN
26 SUCCESSFULLY COMPLETED.

27 (12) ~~(8)~~ A driver education instructor preparation course

1 shall consist of not less than 2 semester hours per course or the
2 equivalent of not less than 2 semester hours per course as ~~approved~~
3 **REQUIRED** by the secretary of state **IN THE MODEL CURRICULUM**
4 **DESCRIBED IN SUBSECTION (8)**. A driver education instructor
5 preparation course shall extend for not less than ~~3 weeks~~.10
6 **INSTRUCTIONAL DAYS. FOR PURPOSES OF THIS SUBSECTION, 1**
7 **INSTRUCTIONAL DAY SHALL NOT BE LESS THAN 8 HOURS. A DRIVER**
8 **EDUCATION INSTRUCTOR PREPARATION COURSE MAY DELIVER CONTENT IN**
9 **EITHER A CLASSROOM OR AN ONLINE FORMAT, OR A COMBINATION OF BOTH,**
10 **AS APPROVED BY THE SECRETARY OF STATE IN THE MODEL PROGRAM GUIDE**
11 **DESCRIBED IN SUBSECTION (8).**

12 (13) ~~(9)~~An instructor who teaches a driver education
13 instructor preparation course shall meet the following
14 requirements:

15 (a) ~~Have~~**HOLD** a ~~master's~~**VALID TEACHING CERTIFICATE ISSUED**
16 **UNDER THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1 TO 380.1852,**
17 **A BACHELOR'S** degree in education, ~~from an accredited college or~~
18 ~~university.~~**OR THE EQUIVALENT OF 5 YEARS OF EXPERIENCE IN CLASSROOM**
19 **AND BEHIND-THE-WHEEL DRIVER EDUCATION TEACHING THE MODEL CURRICULUM**
20 **FOR TEEN DRIVER TRAINING PRESCRIBED BY THE SECRETARY OF STATE UNDER**
21 **THIS ACT, AS VERIFIED BY THE SECRETARY OF STATE.**

22 (b) Hold a valid driver education instructor certificate
23 issued by the secretary of state.

24 (c) Any other requirement the secretary of state determines is
25 necessary to determine instructor qualifications.

26 (14) ~~(10)~~A college, university, or person approved by the
27 secretary of state that offers a driver education instructor

1 preparation course shall include in the course registration
2 material information explaining the driver education instructor
3 qualifications required under this act.

4 (15) ~~(11)~~ IF THE SECRETARY OF STATE DETERMINES THAT A DRIVER
5 EDUCATION INSTRUCTOR PREPARATION PROGRAM DOES NOT MEET THE
6 REQUIREMENTS OF THIS SECTION, THE SECRETARY OF STATE MAY SUSPEND
7 THE APPROVAL OF THE DRIVER EDUCATION INSTRUCTOR PREPARATION PROGRAM
8 AFTER NOTICE AND AN OPPORTUNITY FOR HEARING. The secretary of state
9 shall review each driver education instructor preparation program
10 approved under this section at least once every 3 years.

11 (16) ~~(12)~~ A driver education preparation course credit earned
12 through a college, university, or another entity in another state
13 may be accepted on the same basis as the equivalent credit earned
14 through a driver education instructor preparation program conducted
15 by a college or university or by a person approved by the secretary
16 of state, if approved by the secretary of state. A person seeking
17 approval of a driver education course credit earned in another
18 state shall present satisfactory evidence to the secretary of state
19 that the other state's course substantially meets the requirements
20 of this state. The secretary of state shall review a driver
21 education preparation course credit earned in another state and
22 determine whether that course content meets the requirements of
23 this act. The secretary of state shall give the person a written
24 notice of the secretary of state's approval or denial, including
25 the reason for any denial.

26 (17) ~~(13)~~ This section does not apply to an applicant for a
27 driver education instructor certificate that is limited to the

1 truck driver training classification.

2 Sec. 25. (1) A person shall not participate in a practicum
3 course conducted by a college or university or by a person approved
4 by the secretary of state unless the person possesses a conditional
5 driver education instructor certificate.

6 (2) A person shall apply to the secretary of state for a
7 conditional driver education instructor certificate. The secretary
8 of state may issue a person a conditional driver education
9 instructor certificate after the person presents satisfactory
10 evidence to the secretary of state that the applicant complies with
11 both of the following:

12 (a) Meets all of the driver education instructor application
13 requirements under section 17 except for completion of a practicum
14 course.

15 (b) Is enrolled in a ~~practicum~~**-DRIVER EDUCATION INSTRUCTOR**
16 **PREPARATION PROGRAM** course conducted by a college or university or
17 by a person approved by the secretary of state.

18 (3) This section does not apply to an applicant for a driver
19 education instructor certificate that is limited to the truck
20 driver training classification.

21 Enacting section 1. This amendatory act takes effect 365 days
22 after the date it is enacted into law.