

HOUSE BILL No. 4499

March 7, 1991, Introduced by Reps. Martin, Brackenridge, Willis Bullard, Sikkema, Sparks, Kosteva, Strand, Hoekman, Dobb, Hunter and Jaye and referred to the Committee on Education.

A bill to amend section 811 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 299 of the Public Acts of 1989, being section 257.811 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 811 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 299 of the Public Acts of 1989, being
3 section 257.811 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 811. (1) An application for an operator's or
6 chauffeur's license as provided in sections 307 and 312 and an
7 application for a minor's restricted license as provided in
8 section 312 shall be accompanied by the following fees:

1 Operator's license.....\$ 12.00
 2 Chauffeur's license..... 20.00
 3 Minor's restricted license..... 5.00

4 (2) The SECRETARY OF STATE SHALL DEPOSIT THE money received
 5 and collected under subsection (1) ~~shall be deposited by the~~
 6 ~~secretary of state~~ in the state treasury to the credit of the
 7 general fund. The secretary of state shall refund out of the
 8 fees collected to each county or municipality ~~—~~ acting as an
 9 examining officer or examining bureau ~~—~~ \$2.50 for each appli-
 10 cant examined for an original license, \$1.00 for EACH APPLICANT
 11 EXAMINED FOR an original chauffeur's license, and \$1.00 for every
 12 other applicant examined, ~~whose~~ IF THE application is not
 13 denied ~~—, on the condition that~~ AND the money refunded is paid
 14 to the county or local treasurer and is appropriated to the
 15 county, municipality, or officer or bureau receiving the money
 16 for the purpose of carrying out this act. The STATE TREASURER
 17 SHALL DEPOSIT THE sum of \$4.00 ~~shall be deposited by the state~~
 18 ~~treasurer~~ in a driver education fund for each person examined
 19 for an original license, a renewal operator's license, an origi-
 20 nal chauffeur's license, or a renewal chauffeur's license, except
 21 that the sum deposited for each 2-year operator's or 2-year
 22 chauffeur's license shall be \$2.00. ~~Money~~ THE DEPARTMENT OF
 23 EDUCATION SHALL USE THE MONEY in the driver education fund ~~shall~~
 24 ~~be used by the department of education~~ for administration of a
 25 driver education program ~~—~~ and for distribution to local school
 26 districts to be used for driver education programs.

1 (3) From the money credited to the driver education fund,
2 the legislature shall ~~annually~~ appropriate ANNUALLY the sum of
3 \$100,000.00 to the department of education for state administra-
4 tion of the program. In addition, ~~there~~ THE DEPARTMENT OF
5 EDUCATION shall ~~be distributed~~ DISTRIBUTE to local public
6 school districts from the driver education fund the amount of
7 \$45.00 per student ~~, but not to exceed~~ OR the actual cost PER
8 STUDENT, WHICHEVER IS LESS, for each student completing an
9 approved driver education course. The driver education courses
10 shall be conducted by the local public school district, or may be
11 conducted for the local school district by the intermediate dis-
12 trict at the request of the local district, and, SUBJECT TO ELI-
13 GIBILITY REQUIREMENTS ESTABLISHED UNDER SECTION 1302 OF THE
14 SCHOOL CODE OF 1976, ACT NO. 451 OF THE PUBLIC ACTS OF 1976,
15 BEING SECTION 380.1302 OF THE MICHIGAN COMPILED LAWS, enrollment
16 in driver education courses shall be open to children enrolled in
17 the high school grades of public, parochial, and private schools
18 as well as resident out-of-school youth. Reimbursement to local
19 school districts shall be made on the basis of an application
20 made by the local school district superintendent to the depart-
21 ment of education.

22 (4) As used in this section, "driver education courses"
23 include classroom instruction, behind the wheel instruction, and
24 observation in an automobile under the supervision of a qualified
25 teacher or licensed instructor. The department of education
26 shall not require that licensed driver training school teachers
27 or instructors be certificated under Act No. 451 of the Public

1 Acts of 1976, as amended, being sections 380.1 to 380.1852 of the
2 Michigan Compiled Laws.

3 (5) The department of education may promulgate rules pursu-
4 ant to THE ADMINISTRATIVE PROCEDURES ACT OF 1969, Act No. 306 of
5 the Public Acts of 1969, as amended, being sections 24.201 to
6 24.328 of the Michigan Compiled Laws, including instructional
7 standards, teacher qualifications, reimbursement procedures, and
8 other requirements to further implement this section.

9 (6) Notwithstanding sections 301, 303, 306, and 308, an
10 operator's license shall not be issued to a person under 18 years
11 of age unless that person successfully passes a driver education
12 course and examination given by a public school, nonpublic
13 school, or an equivalent course approved by the department of
14 education given by a licensed driver training school. A person
15 who has been a holder of a motor vehicle operator's license
16 issued by any other state, territory, or possession of the United
17 States, or any other sovereignty for 1 year immediately before
18 application for an operator's license under this act ~~, shall~~ IS
19 not ~~be~~ required to comply with this subsection. Restricted
20 licenses may be issued pursuant to section 312 without compliance
21 with this subsection. ~~A~~ SUBJECT TO ELIGIBILITY REQUIREMENTS
22 ESTABLISHED UNDER SECTION 1302 OF ACT NO. 451 OF THE PUBLIC ACTS
23 OF 1976, A driver education course shall be made available for a
24 person under 18 years of age within a time that will enable that
25 person to qualify for a license before the time that the person
26 is permitted by law to have a license.

1 (7) A PUBLIC SCHOOL SYSTEM SHALL NOT IMPOSE A charge or
2 enrollment fee for a driver education course ~~shall not be~~
3 ~~required to be paid by~~ UPON a student desiring to take the
4 course as a duly enrolled student for the course in a school of
5 the public school system.

6 Section 2. This amendatory act shall not take effect unless
7 Senate Bill No. _____ or House Bill No. 4402 (request
8 no. 01689'91) of the 86th Legislature is enacted into law.