

SENATE BILL No. 156

March 12, 1991, Introduced by Senators KELLY, O'BRIEN, VAUGHN, CISKY, STABENOW, DE GROW, V. SMITH, CRUCE, KOIVISTO, GEAKE, HOLMES, MC MANUS and ARTHURHULTZ and referred to the Committee on Transportation and Tourism.

A bill to amend sections 303, 306, 312a, 319, and 811 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code,"

sections 303 and 306 as amended by Act No. 346 of the Public Acts of 1988, section 319 as amended by Act No. 406 of the Public Acts of 1988, and section 811 as amended by Act No. 299 of the Public Acts of 1989, being sections 257.303, 257.306, 257.312a, 257.319, and 257.811 of the Michigan Compiled Laws; and to add sections 10a and 10b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 303, 306, 312a, 319, and 811 of Act
2 No. 300 of the Public Acts of 1949, sections 303 and 306 as
3 amended by Act No. 346 of the Public Acts of 1988, section 319 as
4 amended by Act No. 406 of the Public Acts of 1988, and section
5 811 as amended by Act No. 299 of the Public Acts of 1989, being

1 sections 257.303, 257.306, 257.312a, 257.319, and 257.811 of the
2 Michigan Compiled Laws, are amended and sections 10a and 10b are
3 added to read as follows:

4 SEC. 10A. "CURFEW ORDINANCE" MEANS AN ORDINANCE ESTABLISHED
5 BY A CITY, TOWNSHIP, OR VILLAGE THAT IMPOSES A CURFEW ON MINORS
6 THAT LASTS NO MORE THAN 3 CONSECUTIVE DAYS AND THAT INCLUDES
7 OCTOBER 30, OR A CURFEW ON MINORS FOR THE SAFETY AND WELFARE OF
8 THE CITY, TOWNSHIP, OR VILLAGE.

9 SEC. 10B. "CURFEW ORDINANCE VIOLATOR" MEANS A MINOR WHO IS
10 DETERMINED BY THE APPROPRIATE COURT OR LOCAL BODY TO HAVE VIO-
11 LATED A CURFEW ORDINANCE, IF THE SECRETARY OF STATE IS INFORMED
12 OF THE DETERMINATION IN A FORM THAT THE SECRETARY OF STATE
13 PRESCRIBES.

14 Sec. 303. (1) The secretary of state shall not issue a
15 license under this act TO ANY OF THE FOLLOWING:

16 (a) ~~Te-a~~ A person, as an operator, who is ~~17~~ LESS THAN
17 18 years of age, ~~or less,~~ except that, SUBJECT TO
18 SUBSECTION (4), the secretary of state may issue a license to a
19 person who is not less than 16 years of age and who has satisfac-
20 torily passed a driver education course and examination given by
21 a public school or nonpublic school of this or another state
22 offering a course approved by the department of education, or an
23 equivalent examination as prescribed in section 811. The secre-
24 tary of state may issue to a person not less than 14 years of age
25 a restricted license as provided in this act. This subdivision
26 ~~shall~~ DOES not apply to a person who has been the holder of a
27 valid driver's license issued by another state, territory, or

1 possession of the United States or another sovereignty for at
2 least 1 year immediately before application for a driver's
3 license under this act.

4 (b) ~~Te-a~~ A person, as a chauffeur, who is ~~17~~ LESS THAN
5 18 years of age, ~~or less,~~ except that, SUBJECT TO
6 SUBSECTION (4), the secretary of state may issue a license to a
7 person who is not less than 16 years of age and who has satisfac-
8 torily passed a driver education course and examination given by
9 a public school or nonpublic school of this or another state
10 offering a course approved by the department of education, or an
11 equivalent examination as prescribed in section 811.

12 (c) ~~Te-a~~ A person whose license has been suspended during
13 the period for which the license was suspended.

14 (d) ~~Te-a~~ A person whose license has been revoked under
15 this act until the later of the following:

16 (i) The expiration of not less than 1 year after the license
17 was revoked.

18 (ii) The expiration of not less than 5 years after the date
19 of a subsequent revocation occurring within 7 years after the
20 date of any prior revocation.

21 (e) ~~Te-a~~ A person who is an habitual violator of the crim-
22 inal laws relating to operating a vehicle while impaired by or
23 under the influence of intoxicating liquor or a controlled sub-
24 stance or a combination of intoxicating liquor and a controlled
25 substance, or with a blood alcohol content of 0.10% or more by
26 weight of alcohol. Convictions of any of the following, whether
27 under a law of this state, a local ordinance substantially

1 corresponding to a law of this state, or a law of another state
2 substantially corresponding to a law of this state, ~~shall be~~
3 ARE prima facie evidence that the person is an habitual violator
4 as described in this subdivision:

5 (i) Two convictions under section 625(1) or (2), or 1 con-
6 viction under section 625(1) and 1 conviction under section
7 625(2) within 7 years.

8 (ii) Three convictions under section 625b within 10 years.

9 (f) ~~To-a~~ A person who in the opinion of the secretary of
10 state is afflicted with or suffering from a physical or mental
11 disability or disease ~~which~~ THAT prevents that person from
12 exercising reasonable and ordinary control over a motor vehicle
13 while operating the motor vehicle upon the highways.

14 (g) ~~To-a~~ A person who is unable to understand highway
15 warning or direction signs in the English language.

16 (h) ~~To-a~~ A person who is an habitually reckless driver.
17 Four convictions of reckless driving under this act or any other
18 law of this state relating to reckless driving or under a local
19 ordinance of this state or a law of another state ~~which~~ THAT
20 defines the term "reckless driving" substantially similar to the
21 law of this state ~~shall be~~ ARE prima facie evidence that the
22 person is an habitually reckless driver.

23 (i) ~~To-a~~ A person who is an habitual criminal. Two con-
24 victions of a felony involving the use of a motor vehicle in this
25 or another state ~~shall be~~ ARE prima facie evidence that the
26 person is an habitual criminal.

1 (j) ~~To a~~ A person who is unable to pass a knowledge,
2 skill, or ability test administered by the secretary of state in
3 connection with the issuance of an original operator's or
4 chauffeur's license, original motorcycle indorsement, or an orig-
5 inal or renewal of a vehicle group designation or vehicle
6 indorsement.

7 (k) ~~To a~~ A person who has been convicted, received a pro-
8 bate court finding, or been determined responsible for 2 or more
9 moving violations under a law of this state, a local ordinance
10 substantially corresponding to a law of this state, or a law of
11 another state substantially corresponding to a law of this state,
12 within the preceding 3 years, if the violations occurred ~~prior~~
13 ~~to~~ BEFORE the issuance of an original license to the person in
14 this or another state.

15 (1) ~~To a~~ A nonresident.

16 (2) Upon receipt of the appropriate records of conviction,
17 the secretary of state shall revoke the operator's or chauffeur's
18 license of a person having any of the following convictions,
19 whether under a law of this state, a local ordinance substan-
20 tially corresponding to a law of this state, or a law of another
21 state substantially corresponding to a law of this state:

22 (a) Four convictions of reckless driving within 7 years.

23 (b) Two convictions of a felony involving the use of a motor
24 vehicle within 7 years.

25 (c) Two convictions under section 625(1) or (2), or 1 con-
26 viction under section 625(1) and 1 conviction under section
27 625(2) within 7 years.

1 (d) Three convictions under section 625b within 10 years.

2 (3) The secretary of state shall revoke a license under sub-
3 section (2) notwithstanding a court order issued under section
4 625 or 625b, or a local ordinance substantially corresponding to
5 section 625(1) or (2) or 625b.

6 (4) THE SECRETARY OF STATE SHALL NOT ISSUE AN ORIGINAL
7 LICENSE TO A PERSON OTHERWISE ELIGIBLE UNDER SUBSECTION (1)(A) OR
8 (B) WHO IS A CURFEW ORDINANCE VIOLATOR UNTIL:

9 (A) THE PERSON IS 17 YEARS OF AGE IF THE CURFEW ORDINANCE
10 VIOLATION OCCURRED WHEN THE PERSON WAS LESS THAN 16 YEARS OF
11 AGE.

12 (B) ONE YEAR FROM THE DATE OF THE CURFEW ORDINANCE VIOLA-
13 TION, BUT NOT LATER THAN THE DATE THE PERSON BECOMES 18 YEARS OF
14 AGE, IF THE VIOLATION OCCURRED WHEN THE PERSON WAS 16 YEARS OF
15 AGE OR OLDER.

16 Sec. 306. (1) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (7),
17 THE secretary of state upon receiving from a person 16 or 17
18 years of age who has successfully completed a driver education
19 course and examination offered pursuant to section 811; who has
20 been licensed in another state or country for at least 1 year and
21 is less than 18 years of age; or who is 18 years of age or older,
22 an application for a temporary instruction permit may issue that
23 permit entitling the applicant, while carrying the permit, to
24 drive a motor vehicle other than a motor vehicle requiring an
25 indorsement under section 312a or a vehicle group designation
26 under section 312e upon the highways for a period of 150 days

1 when accompanied by a licensed adult operator or chauffeur who is
2 actually occupying a seat beside the driver.

3 (2) ~~—A—~~ EXCEPT AS PROVIDED IN SUBSECTION (7), A student
4 enrolled in a driver education program or a motorcycle safety
5 course approved by the department of education may operate a
6 motor vehicle without holding an operator's license or permit
7 while under the direct supervision of the program instructor.

8 (3) ~~—A—~~ EXCEPT AS PROVIDED IN SUBSECTION (7), A student
9 enrolled in an approved driver education program ~~—and—~~ who has
10 successfully completed 10 hours of classroom instruction and the
11 equivalent of 2 hours of behind-the-wheel training may be issued
12 a temporary driver education certificate furnished by the depart-
13 ment of education ~~—which—~~ THAT authorizes a student to drive a
14 motor vehicle, other than a motor vehicle requiring an indorse-
15 ment pursuant to section 312a or a vehicle group designation pur-
16 suant to section 312e, when accompanied by a licensed parent or
17 guardian, or when accompanied by a nonlicensed parent or guardian
18 and a licensed adult for the purpose of receiving additional
19 instruction until the end of the student's driver education
20 course.

21 (4) ~~—Upon—~~ EXCEPT AS PROVIDED IN SUBSECTION (7), UPON suc-
22 cessful completion of an approved driver education course the
23 secretary of state may validate a driver education certificate
24 issued to an applicant. The driver education certificate autho-
25 rizes the holder to drive a motor vehicle, except a motor vehicle
26 requiring an indorsement under section 312a or a vehicle group
27 designation under section 312e, when accompanied by a licensed

1 parent or guardian, or when accompanied by a nonlicensed parent
2 or guardian and a licensed adult for the purpose of additional
3 instruction until reaching 18 years of age.

4 (5) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (7), THE secre-
5 tary of state, upon receiving proper application from a person 16
6 or 17 years of age who is enrolled in or has successfully com-
7 pleted an approved motorcycle safety course under section 811a,
8 or a person who is 18 years of age or older and who holds a valid
9 operator's or chauffeur's license, may issue a motorcycle tempo-
10 rary instruction permit, entitling the applicant, while carrying
11 the permit, to operate a motorcycle upon the public streets and
12 highways for a period of 150 days, but only when under the con-
13 stant visual supervision of a licensed motorcycle operator at
14 least 18 years of age. The applicant shall not operate the
15 motorcycle at night or with a passenger.

16 (6) The secretary of state, upon receiving proper applica-
17 tion from a person who is 18 years of age or older ~~—~~ who holds
18 a valid operator's or chauffeur's license, may issue a temporary
19 instruction permit entitling the person while carrying the permit
20 to drive a vehicle requiring a vehicle group designation or vehi-
21 cle group indorsement under section 312e upon the streets and
22 highways, for a period of 150 days, but only when accompanied by
23 a licensed adult operator or chauffeur who is licensed with the
24 appropriate vehicle group designation and indorsement for the
25 vehicle group being driven and who is actually occupying a seat
26 beside the driver, or behind the driver if the permittee is
27 driving a bus or school bus. In addition, if a permittee is

1 enrolled in a driver training program for drivers of motor
2 vehicles requiring a vehicle group designation or vehicle group
3 indorsement under section 312e ~~, which program~~ THAT is con-
4 ducted by a college; university; commercial driver training
5 school licensed by the department pursuant to Act No. 369 of the
6 Public Acts of 1974, as amended, being sections 256.601 to
7 256.609 of the Michigan Compiled Laws; or a local or intermediate
8 school district, the permittee may drive a vehicle requiring a
9 vehicle group designation or vehicle group indorsement on the
10 streets and highways of this state for a period of 150 days when
11 accompanied by an instructor licensed with the appropriate vehi-
12 cle group designation and indorsement for the vehicle being
13 driven who is either occupying the seat beside the driver or in
14 direct visual and audio communication with the permittee.

15 (7) SUBSECTIONS (1) THROUGH (5) DO NOT APPLY TO A PERSON WHO
16 IS A CURFEW ORDINANCE VIOLATOR UNTIL:

17 (A) THE PERSON IS 17 YEARS OF AGE IF THE CURFEW ORDINANCE
18 VIOLATION OCCURRED WHEN THE PERSON WAS LESS THAN 16 YEARS OF
19 AGE.

20 (B) ONE YEAR FROM THE DATE OF THE CURFEW ORDINANCE VIOLA-
21 TION, BUT NOT LATER THAN THE DATE THE PERSON BECOMES 18 YEARS OF
22 AGE, IF THE VIOLATION OCCURRED WHEN THE PERSON WAS 16 YEARS OF
23 AGE OR OLDER.

24 Sec. 312a. (1) A person, before operating a motorcycle
25 upon a public street or highway in this state, shall procure a
26 motorcycle indorsement on the operator's or chauffeur's license.

1 The license shall be issued, suspended, revoked, canceled, or
2 renewed in accordance with and governed by this act.

3 (2) A person, before operating a moped upon a highway shall
4 procure a special restricted license to operate a moped unless
5 the person has a valid operator's or chauffeur's license. ~~A~~
6 UNLESS THE PERSON IS A CURFEW ORDINANCE VIOLATOR, A special
7 restricted license to operate a moped may be issued to a person
8 15 years of age or older if the person satisfies the secretary of
9 state that he OR SHE is competent to operate a moped with
10 safety. IF A PERSON IS A CURFEW ORDINANCE VIOLATOR, THE SECRE-
11 TARY OF STATE SHALL NOT ISSUE A SPECIAL RESTRICTED LICENSE TO
12 OPERATE A MOPED UNTIL THE PERSON IS 16 YEARS OF AGE OR UNTIL THE
13 EXPIRATION OF 1 YEAR AFTER THE CURFEW ORDINANCE VIOLATION, WHICH-
14 EVER IS LATER. The secretary of state shall not require a road
15 test before issuance of a special restricted license to operate a
16 moped.

17 (3) A special restricted license to operate a moped ~~shall~~
18 ~~expire~~ EXPIRES on the birthday of the person to whom it is
19 issued in the fourth year following the date of issuance. A
20 license shall not be issued for a period longer than 4 years. A
21 person issued a license to operate a moped shall pay \$7.50 for an
22 original license and \$6.00 for a renewal license. The money
23 received and collected under this subsection shall be deposited
24 in the state treasury to the credit of the general fund. The
25 secretary of state shall refund out of the fees collected to each
26 county or municipality, acting as an examining officer, \$2.50 for

1 each applicant examined for an original license and \$1.00 for a
2 renewal license.

3 (4) IF A PERSON IS A CURFEW ORDINANCE VIOLATOR, THE SECRE-
4 TARY OF STATE SHALL SUSPEND FOR 1 YEAR THAT PERSON'S SPECIAL
5 RESTRICTED LICENSE TO OPERATE A MOPED.

6 Sec. 319. (1) The secretary of state shall immediately sus-
7 pend for a period of not less than 90 days, ~~not~~ OR more than 2
8 years, the license of a person upon receiving a record of the
9 conviction of the person or the entry of a probate court order of
10 disposition for a child found to be within the provisions of
11 chapter XIIIA of Act No. 288 of the Public Acts of 1939, being
12 sections 712A.1 to 712A.28 of the Michigan Compiled Laws, for any
13 of the following crimes or attempts to commit any of the follow-
14 ing crimes, whether the conviction or probate court disposition
15 is under a law of this state, a local ordinance substantially
16 corresponding to a law of this state, or a law of another state
17 substantially corresponding to a law of this state:

18 (a) Fraudulently altering or forging documents pertaining to
19 motor vehicles, in violation of section 257.

20 (b) Perjury or the making of a false certification to the
21 secretary of state under any law requiring the registration of a
22 motor vehicle or regulating the operation of a motor vehicle on a
23 highway.

24 (c) A violation of section 324, 413, or 414 of the Michigan
25 penal code, Act No. 328 of the Public Acts of 1931, being sec-
26 tions 750.324, 750.413, and 750.414 of the Michigan Compiled
27 Laws; or a violation of section 1 of Act No. 214 of the Public

1 Acts of 1931, being section 752.191 of the Michigan Compiled
2 Laws.

3 (d) Conviction upon 3 charges of reckless driving within the
4 preceding 12 months.

5 (e) Failing to stop and disclose identity at the scene of an
6 accident resulting in death or injury to another person, in vio-
7 lation of section 617.

8 (f) A felony in which a motor vehicle was used. As used in
9 this section, "felony in which a motor vehicle was used" means a
10 felony during the commission of which the person convicted oper-
11 ated a motor vehicle and while operating the vehicle presented
12 real or potential harm to persons or property and 1 or more of
13 the following circumstances existed:

14 (i) The vehicle was used as an instrument of the felony.

15 (ii) The vehicle was used to transport a victim of the
16 felony.

17 (iii) The vehicle was used to flee the scene of the felony.

18 (iv) The vehicle was necessary for the commission of the
19 felony.

20 (2) The secretary of state shall suspend, for the period
21 described in subsection (1), the license of a person upon receiv-
22 ing the record of conviction of the person for a violation of a
23 law of another state substantially corresponding to section
24 625(1) or (2).

25 (3) The secretary of state shall suspend the license of a
26 person convicted of malicious destruction resulting from the
27 operation of a motor vehicle under section 382 of the Michigan

1 penal code, Act No. 328 of the Public Acts of 1931, as amended,
2 being section 750.382 of the Michigan Compiled Laws, for a period
3 of not more than 1 year as ordered by the court as part of the
4 sentence.

5 (4) The secretary of state shall immediately suspend the
6 license of a person for the period specified in the certificate
7 of conviction upon receipt of the person's license and certifi-
8 cate of conviction forwarded to the secretary of state pursuant
9 to section 367c of the Michigan penal code, Act No. 328 of the
10 Public Acts of 1931, being section 750.367c of the Michigan
11 Compiled Laws.

12 (5) The secretary of state shall suspend, for a period of
13 not less than 6 months ~~nor~~ OR more than 18 months, the license
14 of a person having the following convictions within a 7-year
15 period, whether under the law of this state, a local ordinance
16 substantially corresponding to a law of this state, or a law of
17 another state substantially corresponding to a law of this
18 state:

19 (a) Two convictions under section 625b.

20 (b) One conviction under section 625(1) or (2) followed by 1
21 conviction under section 625b.

22 (6) Upon receipt of a certificate of conviction pursuant to
23 section 33b(3) of the Michigan liquor control act, Act No. 8 of
24 the Public Acts of the Extra Session of 1933, being section
25 436.33b of the Michigan Compiled Laws, or a local ordinance or
26 law of another state substantially corresponding to section
27 33b(3) of Act No. 8 of the Public Acts of the Extra Session of

1 1933, the secretary of state shall suspend the person's
 2 operator's or chauffeur's license for a period of 90 days. A
 3 suspension under this subsection ~~shall be~~ IS in addition to any
 4 other suspension of the person's license.

5 (7) Upon receipt of the record of the conviction of a
 6 person, or the entry of a probate court order of disposition for
 7 a child found to be within the provisions of chapter XIIIA of Act
 8 No. 288 of the Public Acts of 1939, for a violation of section
 9 602a of this act or section 479a(1), (4), or (5) of Act No. 328
 10 of the Public Acts of 1931, being section 750.479a of the
 11 Michigan Compiled Laws, the secretary of state immediately shall
 12 suspend the license of the person for the period ordered by the
 13 court as part of the sentence or disposition.

14 (8) THE SECRETARY OF STATE SHALL SUSPEND FOR 1 YEAR THE
 15 LICENSE OF A PERSON WHO IS A CURFEW ORDINANCE VIOLATOR.

16 (9) ~~-(8)-~~ For purposes of this section, the secretary of
 17 state shall treat a conviction or probate court disposition for a
 18 child found to be within the provisions of chapter XIIIA of Act
 19 No. 288 of the Public Acts of 1939 for an attempted offense as if
 20 the offense had been completed.

21 Sec. 811. (1) An application for an operator's or
 22 chauffeur's license as provided in sections 307 and 312 and an
 23 application for a minor's restricted license as provided in sec-
 24 tion 312 shall be accompanied by the following fees:

25 Operator's license.....\$ 12.00

1 Chauffeur's license..... 20.00
2 Minor's restricted license..... 5.00

3 (2) The money received and collected under subsection (1)
4 shall be deposited by the secretary of state in the state trea-
5 sury to the credit of the general fund. The secretary of state
6 shall refund out of the fees collected to each county or munici-
7 pality, acting as an examining officer or examining bureau, \$2.50
8 for each applicant examined for an original license, \$1.00 for an
9 original chauffeur's license, and \$1.00 for every other applicant
10 examined, whose application is not denied, on the condition that
11 the money refunded is paid to the county or local treasurer and
12 is appropriated to the county, municipality, or officer or bureau
13 receiving the money for the purpose of carrying out this act.

14 The sum of \$4.00 shall be deposited by the state treasurer in a
15 driver education fund for each person examined for an original
16 license, a renewal operator's license, an original chauffeur's
17 license, or a renewal chauffeur's license, except that the sum
18 deposited for each 2-year operator's or 2-year chauffeur's
19 license shall be \$2.00. Money in the driver education fund shall
20 be used by the department of education for administration of a
21 driver education program, and for distribution to local school
22 districts to be used for driver education programs.

23 (3) From the money credited to the driver education fund,
24 the legislature shall annually appropriate the sum of \$100,000.00
25 to the department of education for state administration of the
26 program. In addition there shall be distributed to local public
27 school districts from the driver education fund the amount of

1 \$45.00 per student, but not to exceed the actual cost, for each
2 student completing an approved driver education course. The
3 driver education courses shall be conducted by the local public
4 school district, or may be conducted for the local school dis-
5 trict by the intermediate district at the request of the local
6 district, and, EXCEPT AS PROVIDED IN SUBSECTION (7), enrollment
7 in driver education courses ~~shall be~~ IS open to children
8 enrolled in the high school grades of public, parochial, and pri-
9 vate schools as well as resident out-of-school youth.

10 Reimbursement to local school districts shall be made on the
11 basis of an application made by the local school district super-
12 intendent to the department of education.

13 (4) As used in this section, "driver education courses"
14 include classroom instruction, behind the wheel instruction, and
15 observation in an automobile under the supervision of a qualified
16 teacher or licensed instructor. The department of education
17 shall not require that licensed driver training school teachers
18 or instructors be certificated under THE SCHOOL CODE OF 1976, Act
19 No. 451 of the Public Acts of 1976, as amended, being sections
20 380.1 to 380.1852 of the Michigan Compiled Laws.

21 (5) The department of education may promulgate rules pursu-
22 ant to THE ADMINISTRATIVE PROCEDURES ACT OF 1969, Act No. 306 of
23 the Public Acts of 1969, as amended, being sections 24.201 to
24 24.328 of the Michigan Compiled Laws, including instructional
25 standards, teacher qualifications, reimbursement procedures, and
26 other requirements to further implement this section.

1 (6) Notwithstanding sections 301, 303, 306, and 308, an
2 operator's license shall not be issued to a person under 18 years
3 of age unless that person successfully passes a driver education
4 course and examination given by a public school, nonpublic
5 school, or an equivalent course approved by the department of
6 education given by a licensed driver training school. A person
7 who has been a holder of a motor vehicle operator's license
8 issued by any other state, territory, or possession of the United
9 States, or any other sovereignty for 1 year immediately before
10 application for an operator's license under this act, ~~shall not~~
11 ~~be~~ IS NOT required to comply with this subsection. Restricted
12 licenses may be issued pursuant to section 312 without compliance
13 with this subsection. ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (7),
14 A driver education course shall be made available for a person
15 under 18 years of age within a time that will enable that person
16 to qualify for a license before the time that the person is per-
17 mitted by law to have a license.

18 (7) IF A PERSON IS A CURFEW ORDINANCE VIOLATOR WHO IS NOT
19 ELIGIBLE FOR A LICENSE PURSUANT TO SECTION 303(4) OR SECTION
20 306(7), A DRIVER EDUCATION COURSE SHALL NOT BE MADE AVAILABLE FOR
21 THAT PERSON UNTIL A TIME THAT WILL ENABLE THE PERSON TO QUALIFY
22 FOR A LICENSE UNDER SECTION 303(4) OR SECTION 306(7).

23 (8) ~~(7)~~ A charge or enrollment fee for a driver education
24 course shall not be required to be paid by a student desiring to
25 take the course as a duly enrolled student for the course in a
26 school of the public school system.

1 Section 2. This amendatory act shall not take effect unless
2 Senate Bill No. 157
3 of the 86th Legislature is enacted into law.