

# SENATE BILL No. 337

May 29, 1991, Introduced by Senator DE GROW and referred to the Committee on Appropriations.

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 money received and collected under subsection (1)  
 5 shall be deposited by the secretary of state in the state trea-  
 6 sury to the credit of the general fund. The secretary of state  
 7 shall refund out of the fees collected to each county or munici-  
 8 pality, acting as an examining officer or examining bureau, \$2.50  
 9 for each applicant examined for an original license, \$1.00 for an  
 10 original chauffeur's license, and \$1.00 for every other applicant  
 11 examined, whose application is not denied, on the condition that  
 12 the money refunded is paid to the county or local treasurer and  
 13 is appropriated to the county, municipality, or officer or bureau  
 14 receiving the money for the purpose of carrying out this act.  
 15 The sum of \$4.00 shall be deposited by the state treasurer in a  
 16 driver education fund for each person examined for an original  
 17 license, a renewal operator's license, an original chauffeur's  
 18 license, or a renewal chauffeur's license, except that the sum  
 19 deposited for each 2-year operator's or 2-year chauffeur's  
 20 license shall be \$2.00. Money in the driver education fund shall  
 21 be used by the department of education for administration of a  
 22 driver education program, and for distribution to local school  
 23 districts to be used for driver education programs. MONEY NOT  
 24 USED BY THE DEPARTMENT OF EDUCATION FOR ADMINISTRATION OF A  
 25 DRIVER EDUCATION PROGRAM AND FOR DISTRIBUTION TO LOCAL SCHOOL

1 DISTRICTS TO BE USED FOR DRIVER EDUCATION PROGRAMS SHALL LAPSE TO  
2 THE GENERAL FUND AT THE END OF THE FISCAL YEAR.

3 (3) From the money credited to the driver education fund,  
4 the legislature shall annually appropriate the sum of \$100,000.00  
5 to the department of education for state administration of the  
6 program. In addition there shall be distributed to local public  
7 school districts from the driver education fund the amount of  
8 \$45.00 per student, but not to exceed the actual cost, for each  
9 student completing an approved driver education course. The  
10 driver education courses shall be conducted by the local public  
11 school district, or may be conducted for the local school dis-  
12 trict by the intermediate district at the request of the local  
13 district, and enrollment in driver education courses shall be  
14 open to children enrolled in the high school grades of public,  
15 parochial, and private schools as well as resident out-of-school  
16 youth. Reimbursement to local school districts shall be made on  
17 the basis of an application made by the local school district  
18 superintendent to the department of education. FOR THE FISCAL  
19 YEAR ENDING SEPTEMBER 30, 1992 AND EACH FISCAL YEAR THEREAFTER,  
20 THERE SHALL BE DISTRIBUTED TO LOCAL PUBLIC SCHOOL DISTRICTS FROM  
21 THE DRIVER EDUCATION FUND 50% OF THE PREVIOUS FISCAL YEAR'S  
22 STATEWIDE AVERAGE COST PER STUDENT, AS DETERMINED BY THE DEPART-  
23 MENT OF EDUCATION, FOR EACH STUDENT COMPLETING AN APPROVED DRIVER  
24 EDUCATION COURSE, BUT NOT MORE THAN THE ACTUAL COST OF THE PRO-  
25 GRAM IN EACH DISTRICT OR \$65.00 PER STUDENT, WHICHEVER IS LESS.

26 (4) As used in this section, "driver education courses"  
27 include classroom instruction, behind the wheel instruction, and

1 observation in an automobile under the supervision of a qualified  
2 teacher or licensed instructor. The department of education  
3 shall not require that licensed driver training school teachers  
4 or instructors be certificated under Act No. 451 of the Public  
5 Acts of 1976, as amended, being sections 380.1 to 380.1852 of the  
6 Michigan Compiled Laws.

7       (5) The department of education may promulgate rules pursu-  
8 ant to Act No. 306 of the Public Acts of 1969, as amended, being  
9 sections 24.201 to 24.328 of the Michigan Compiled Laws, includ-  
10 ing instructional standards, teacher qualifications, reimburse-  
11 ment procedures, and other requirements to further implement this  
12 section.

13       (6) Notwithstanding sections 301, 303, 306, and 308, an  
14 operator's license shall not be issued to a person under 18 years  
15 of age unless that person successfully passes a driver education  
16 course and examination given by a public school, nonpublic  
17 school, or an equivalent course approved by the department of  
18 education given by a licensed driver training school. A person  
19 who has been a holder of a motor vehicle operator's license  
20 issued by any other state, territory, or possession of the United  
21 States, or any other sovereignty for 1 year immediately before  
22 application for an operator's license under this act, shall not  
23 be required to comply with this subsection. Restricted licenses  
24 may be issued pursuant to section 312 without compliance with  
25 this subsection. A driver education course shall be made avail-  
26 able for a person under 18 years of age within a time that will

1 enable that person to qualify for a license before the time that  
2 the person is permitted by law to have a license.

3       (7) A charge or enrollment fee for a driver education course  
4 shall not be required to be paid by a student desiring to take  
5 the course as a duly enrolled student for the course in a school  
6 of the public school system.