
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 763 (Substitute S-2 as reported by the Committee of the Whole)

Sponsor: Senator Dianne Byrum

Committee: Transportation and Tourism

CONTENT

The bill would amend Public Act 369 of 1974, which provides for the licensure of driver training schools and instructors, to do the following:

- Require a license application for a driver training school or instructor to permit the Department of State to request a criminal history check on the prospective licensee from the State Police and the Federal Bureau of Investigation (FBI).
- Provide that the Department would have to require a prospective licensee to submit his or her fingerprints and the fingerprints of prospective driving instructors to the State Police and FBI.
- Prohibit the Department from licensing or renewing the license of a driver training school or instructor before requesting and receiving a criminal history check on the licensee.
- Require the State Police criminal records division, within 45 days of receiving a request, to conduct a criminal history check and report the results to Department of State and the training school licensee.
- Prohibit the disclosure of a report, except any conviction involving sexual or physical abuse, to any person not directly involved in evaluating an applicant's qualification for licensure, and establish misdemeanor penalties for violating this prohibition.
- Increase license application and renewal fees, and require that the fee revenue, after administrative costs were deducted, be deposited in the Driver Education Fund.

MCL 256.602 et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

The State would see an increase in revenue from the fee increases. There would be virtually no increase in administrative costs from these provisions. The balance of fee revenue would be deposited in the Driver Education Fund. Because the exact revenue increase would depend on the number of individuals applying for noncommercial and commercial vehicle schools, as well as for licenses for instructors, the fiscal impact is indeterminate.

The State also would collect revenue from fines assessed from misdemeanor penalties. Because the number of individuals who could be fined is unknown, the fiscal impact is indeterminate. Revenue collected from the fines would have to be applied to the support of public libraries, according to Article VIII, Section 9 of the Michigan Constitution.

The bill would have an indeterminate fiscal impact on the Department of State Police. The cost of a criminal history check from the Department of State Police and the FBI is \$39. The costs for these checks would be paid by a driver training school licensee. It is not known how many applications for criminal history checks would be made under the bill.

Date Completed: 12-9-97

Fiscal Analyst: E. Limbs
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.