

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 684**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 208b (MCL 257.208b), as amended by 1998 PA
12.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 208b. (1) The secretary of state may provide a commer-
2 cial look-up service of records maintained under this act. For
3 each individual record looked up, the secretary of state shall
4 charge a fee specified annually by the legislature, or if the
5 legislature does not specify a fee, a market-based price estab-
6 lished by the secretary of state. The secretary of state shall
7 process a commercial look-up request only if the request is in a
8 form or format prescribed by the secretary of state.

9 (2) A driver training school operator shall subscribe to the
10 commercial look-up service maintained by the secretary of state.

SB0684, As Passed House, July 1, 1998

Sub. S.B. 684 (H-2) as amended July 1, 1998

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1 (3) A driver training school operator shall maintain on the
2 premises of the driver training school the most current copy of
3 all nonpersonal information related to his or her driving record
4 and the driving record of each instructor employed by the driver
5 training school operator for review by any prospective customer
6 or the parent or guardian of a prospective customer.

7 (4) A prospective customer or the parent or guardian of a
8 prospective customer may review a copy of all nonpersonal infor-
9 mation related to the driving record of the driver training
10 school operator or an instructor employed by the driver training
11 school operator.

12 (5) Beginning ~~on the effective date of the amendatory act~~
13 ~~that added this subsection~~ JUNE 1, 1998, a driver training
14 school operator that advertises the availability of its services
15 to the general public [THROUGH A WRITTEN PUBLICATION OR THROUGH ANY
ELECTRONIC OR COMPUTERIZED MEDIA] shall include in that
advertisement that
16 nonpersonal information related to the driving record of each
17 individual instructor is available for review by the general
18 public at the business address of the owner. A driver training
19 school operator that fails to include the information required by
20 this subsection in its advertising is subject to a fine of not
21 more than \$500.00.

22 (6) EACH LIMO CARRIER OF PASSENGERS SHALL SUBSCRIBE TO THE
23 COMMERCIAL LOOK-UP SERVICE MAINTAINED BY THE SECRETARY OF STATE.

24 (7) A PERSON WHO DRIVES A LIMOUSINE FOR HIRE FOR A LIMO CAR-
25 RIER OF PASSENGERS SHALL MAINTAIN A MOST CURRENT COPY OF ALL NON-
26 PERSONAL INFORMATION RELATED TO THE PERSON'S DRIVING RECORD IN
27 THE LIMOUSINE AVAILABLE FOR REVIEW BY ANY PROSPECTIVE PASSENGER.

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1 (8) A PROSPECTIVE PASSENGER MAY REVIEW A COPY OF ALL
2 NONPERSONAL INFORMATION RELATED TO THE DRIVING RECORD OF THE
3 DRIVER OF A LIMOUSINE FROM A LIMO CARRIER OF PASSENGERS OR FROM
4 THE DRIVER OF THE LIMOUSINE.

5 (9) ~~(6)~~ The secretary of state shall not provide an entire
6 computerized central file or other file of records maintained
7 under this act to a nongovernmental person or entity, unless the
8 person or entity pays the prescribed fee for each individual
9 record contained within the computerized file.

10 (10) ~~(7)~~ A driver training school operator who fails to
11 provide the information required to be maintained by this section
12 is subject to a fine of not more than \$500.00. Each failure to
13 provide information constitutes a separate offense.

14 (11) A LIMO CARRIER OF PASSENGERS WHO FAILS TO PROVIDE THE
15 INFORMATION REQUIRED TO BE MAINTAINED BY THIS SECTION IS SUBJECT
16 TO A FINE OF NOT MORE THAN \$500.00. EACH FAILURE TO PROVIDE
17 INFORMATION CONSTITUTES A SEPARATE OFFENSE.

18 (12) THE DRIVER OF A LIMOUSINE WHO FAILS TO PROVIDE THE
19 INFORMATION REQUIRED BY THIS SECTION IS SUBJECT TO A FINE OF NOT
20 MORE THAN \$500.00. EACH FAILURE TO PROVIDE INFORMATION CONSTI-
21 TUTES A SEPARATE OFFENSE.

22 (13) ~~(8)~~ As used in this section: ~~, "driver"~~

23 (A) "DRIVER training school operator" means a person
24 licensed to operate a driver training school under 1974 PA 369,
25 MCL 256.601 to 256.609.

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1 (B) "LIMO CARRIER OF PASSENGERS" AND "LIMOUSINE" MEAN THOSE
2 TERMS AS DEFINED IN SECTION 3 OF THE LIMOUSINE TRANSPORTATION
3 ACT, 1990 PA 271, MCL 257.1903.

4 Enacting section 1. This amendatory act takes effect
5 October 1, 1998.