

**SENATE BILL NO. 792**

November 12, 1997, Introduced by Senators BYRUM, CHERRY, O'BRIEN, MC MANUS, DE BEAUSSAERT, HART, STILLE, YOUNG, CONROY, A. SMITH, DINGELL, PETERS, KOIVISTO, BERRYMAN, VAUGHN and NORTH and referred to the Committee on Transportation and Tourism.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 208b (MCL 257.208b), as added by 1997 PA 100.

**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.

**SB0792, As Passed House, February 3, 1998**

SB 792 as amended by the Senate and House 2  
[House amendments (January 28, 1998) shown in brackets]

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.

(5) BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT  
ADDED THIS SUBSECTION, A DRIVER TRAINING SCHOOL OPERATOR THAT  
ADVERTISES THE AVAILABILITY OF ITS SERVICES TO THE GENERAL PUBLIC  
SHALL INCLUDE IN THAT ADVERTISEMENT THAT NONPERSONAL INFORMATION  
RELATED TO THE DRIVING RECORD OF EACH INDIVIDUAL INSTRUCTOR IS  
AVAILABLE FOR REVIEW BY THE GENERAL PUBLIC AT THE BUSINESS ADDRESS  
OF THE OWNER. A DRIVER TRAINING SCHOOL OPERATOR THAT FAILS TO  
INCLUDE THE INFORMATION REQUIRED BY THIS SUBSECTION IN ITS  
ADVERTISING IS SUBJECT TO A FINE OF NOT MORE THAN \$500.00.

12           (6) ~~(2)~~ The secretary of state shall not provide an entire  
13 computerized central file or other file of records maintained  
14 under this act to a nongovernmental person or entity, unless the  
15 person or entity pays the prescribed fee for each individual  
16 record contained within the computerized file.

17           (7) A DRIVER TRAINING SCHOOL OPERATOR WHO FAILS TO PROVIDE  
18 THE INFORMATION REQUIRED TO BE MAINTAINED BY THIS SECTION IS  
19 SUBJECT TO A FINE OF NOT MORE THAN \$500.00. EACH FAILURE TO PRO-  
20 VIDE INFORMATION CONSTITUTES A SEPARATE OFFENSE.

21           (8) AS USED IN THIS SECTION, "DRIVER TRAINING SCHOOL  
22 OPERATOR" MEANS A PERSON LICENSED TO OPERATE A DRIVER TRAINING  
23 SCHOOL UNDER 1974 PA 369, MCL 256.601 TO 256.609.

[Enacting section 1. This amendatory act takes effect June 1,  
1998.]