

# HOUSE BILL No. 6279

November 5, 1998, Introduced by Rep. Gubow and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 306 and 310c (MCL 257.306 and 257.310c), as  
amended by 1996 PA 387.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 306. ~~—(1) The secretary of state upon receiving from a~~  
2 ~~person who is 18 years of age or older, an application for a tem-~~  
3 ~~porary instruction permit may issue that permit entitling the~~  
4 ~~applicant, while carrying the permit, to drive a motor vehicle~~  
5 ~~other than a motor vehicle requiring an indorsement under section~~  
6 ~~312a or a vehicle group designation under section 312e upon the~~  
7 ~~highways for a period of 180 days when accompanied by a licensed~~  
8 ~~adult operator or chauffeur who is actually occupying a seat~~  
9 ~~beside the driver.—~~

1       (1) ~~—(2)—~~ Until April 1, 2002, the secretary of state may  
2 issue an original operator's license and designate level 1, 2, or  
3 3 graduated licensing provisions to a person who is less than 18  
4 years of age, has been licensed in another state or country, and  
5 has satisfied the applicable requirements of section 310e.

6       (2) ~~—(3)—~~ A student enrolled in a driver education program  
7 or a motorcycle safety course approved by the department of edu-  
8 cation may operate a motor vehicle without holding an operator's  
9 license or permit while under the direct supervision of the pro-  
10 gram instructor.

11       (3) ~~—(4)—~~ A student enrolled in an approved driver education  
12 program and who has successfully completed 10 hours of classroom  
13 instruction and the equivalent of 2 hours of behind-the-wheel  
14 training may be issued a temporary driver education certificate  
15 furnished by the department of education which authorizes a stu-  
16 dent to drive a motor vehicle, other than a motor vehicle requir-  
17 ing an indorsement pursuant to section 312a or a vehicle group  
18 designation pursuant to section 312e, when accompanied by a  
19 licensed parent or guardian, or when accompanied by a nonlicensed  
20 parent or guardian and a licensed adult for the purpose of  
21 receiving additional instruction until the end of the student's  
22 driver education course.

23       (4) ~~—(5)—~~ The secretary of state, upon receiving proper  
24 application from a person 16 or 17 years of age who is enrolled  
25 in or has successfully completed an approved motorcycle safety  
26 course under section 811a, or a person who is 18 years of age or  
27 older and who holds a valid operator's or chauffeur's license,

1 may issue a motorcycle temporary instruction permit, entitling  
2 the applicant, while carrying the permit, to operate a motorcycle  
3 upon the public streets and highways for a period of 150 days,  
4 but only when under the constant visual supervision of a licensed  
5 motorcycle operator at least 18 years of age. The applicant  
6 shall not operate the motorcycle at night or with a passenger.

7       (5) ~~-(6)-~~ The secretary of state, upon receiving proper  
8 application from a person who is 18 years of age or older, who  
9 holds a valid operator's or chauffeur's license, may issue a tem-  
10 porary instruction permit entitling the person while carrying the  
11 permit to drive a vehicle requiring a vehicle group designation  
12 or vehicle group indorsement under section 312e upon the streets  
13 and highways, for a period of 150 days, but only when accompanied  
14 by a licensed adult operator or chauffeur who is licensed with  
15 the appropriate vehicle group designation and indorsement for the  
16 vehicle group being driven and who is actually occupying a seat  
17 beside the driver, or behind the driver if the permittee is driv-  
18 ing a bus or school bus. In addition, if a permittee is enrolled  
19 in a driver training program for drivers of motor vehicles  
20 requiring a vehicle group designation or vehicle group indorse-  
21 ment under section 312e, which program is conducted by a college;  
22 university; commercial driver training school licensed by the  
23 department pursuant to ~~Act No. 369 of the Public Acts of 1974,~~  
24 ~~as amended, being sections 256.601 to 256.609 of the Michigan~~  
25 ~~Compiled Laws~~ 1974 PA 369, MCL 256.601 TO 256.609; or a local or  
26 intermediate school district, the permittee may drive a vehicle  
27 requiring a vehicle group designation or vehicle group

1 indorsement on the streets and highways of this state for a  
2 period of 150 days when accompanied by an instructor licensed  
3 with the appropriate vehicle group designation and indorsement  
4 for the vehicle being driven who is either occupying the seat  
5 beside the driver or in direct visual and audio communication  
6 with the permittee.

7       Sec. 310c. (1) THE SECRETARY OF STATE MAY ISSUE A TEMPORARY  
8 INSTRUCTION PERMIT TO A PERSON 18 YEARS OF AGE OR OLDER UPON  
9 RECEIPT OF THE PERSON'S APPLICATION FOR THE PERMIT AND THE  
10 PERSON'S WRITTEN CERTIFICATION THAT HE OR SHE HAS DONE BOTH OF  
11 THE FOLLOWING:

12       (A) ACCUMULATED A TOTAL OF AT LEAST 6 HOURS OF  
13 BEHIND-THE-WHEEL TRAINING ON PUBLIC STREETS AND HIGHWAYS. THIS  
14 SUBDIVISION DOES NOT APPLY TO A PERSON WHO HAS BEEN LICENSED IN  
15 ANOTHER STATE OR COUNTRY FOR NOT LESS THAN 1 YEAR IMMEDIATELY  
16 PRECEDING THE APPLICATION FOR LICENSURE IN THIS STATE.

17       (B) ACCUMULATED A TOTAL OF AT LEAST 15 HOURS OF CLASSROOM  
18 INSTRUCTION SIMILAR TO SEGMENTS 1 AND 2 OF THE DRIVER EDUCATION  
19 COURSE APPROVED BY THE DEPARTMENT OF EDUCATION IN CONJUNCTION  
20 WITH THE SECRETARY OF STATE UNDER SECTION 310E.

21       (2) ~~-(1)-~~ The secretary of state shall not issue an  
22 operator's or chauffeur's license to a person who is 18 years of  
23 age or older and has not been previously licensed in this or any  
24 other state or country until ~~-30-~~ 60 days after he or she has  
25 obtained a temporary instruction permit.

26       (3) ~~-(2)- This section~~ SUBSECTION (2) does not apply to a  
27 person who is on active duty in the armed forces of the United

- 1 States if he or she is on furlough and possesses a valid United
- 2 States government motor vehicle operator's identification card
- 3 and furlough papers.