

Act No. 329  
Public Acts of 1998  
Approved by the Governor  
August 6, 1998  
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August 7, 1998  
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STATE OF MICHIGAN  
89TH LEGISLATURE  
REGULAR SESSION OF 1998

**Introduced by Senators Bouchard, Gougeon, Shugars, Bennett, Hart, North, O'Brien, Stallings, Cisky, Bullard, DeBeaussaert, McManus and Young**

## **ENROLLED SENATE BILL No. 684**

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 208b (MCL 257.208b), as amended by 1998 PA 12.

*The People of the State of Michigan enact:*

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

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

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

(4) A prospective customer or the parent or guardian of a prospective customer may review a copy of all nonpersonal information related to the driving record of the driver training school operator or an instructor employed by the driver training school operator.

(5) Beginning June 1, 1998, a driver training school operator that advertises the availability of its services to the general public through a written publication or through any electronic or computerized media 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.

(6) Each limo carrier of passengers shall subscribe to the commercial look-up service maintained by the secretary of state.

(7) A person who drives a limousine for hire for a limo carrier of passengers shall maintain a most current copy of all nonpersonal information related to the person's driving record in the limousine available for review by any prospective passenger.

(8) A prospective passenger may review a copy of all nonpersonal information related to the driving record of the driver of a limousine from a limo carrier of passengers or from the driver of the limousine.

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

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

(11) A limo carrier of passengers who fails to provide the information required to be maintained by this section is subject to a fine of not more than \$500.00. Each failure to provide information constitutes a separate offense.

(12) The driver of a limousine who fails to provide the information required by this section is subject to a fine of not more than \$500.00. Each failure to provide information constitutes a separate offense.

(13) As used in this section:

(a) "Driver training school operator" means a person licensed to operate a driver training school under 1974 PA 369, MCL 256.601 to 256.609.

(b) "Limo carrier of passengers" and "limousine" mean those terms as defined in section 3 of the limousine transportation act, 1990 PA 271, MCL 257.1903.

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

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate.

*Mary B. Swell*

Clerk of the House of Representatives.

Approved \_\_\_\_\_

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Governor.