

HOUSE BILL No. 4008

January 13, 1999, Introduced by Rep. Jelinek and referred to the Committee on Regulatory Reform.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 208b (MCL 257.208b), as amended by 1998
PA 329.

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.

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 June 1, 1998, a driver training school opera-
13 tor that advertises the availability of its services to the gen-
14 eral public ~~through a written publication or through any elec-~~
15 ~~tronic or computerized media shall include in that advertisement~~
16 SHALL POST A SIGN AT EACH PLACE OF BUSINESS that nonpersonal
17 information related to the driving record of each individual
18 instructor is available for review by the general public at ~~the~~
19 ~~THAT business address. of the owner.~~ A driver training school
20 operator that fails to include the information required by this
21 subsection in its advertising is subject to a fine of not more
22 than \$500.00.

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

25 (7) A person who drives a limousine for hire for a limo car-
26 rier of passengers shall maintain a most current copy of all

1 nonpersonal information related to the person's driving record in
2 the limousine available for review by any prospective passenger.

3 (8) A prospective passenger may review a copy of all nonper-
4 sonal information related to the driving record of the driver of
5 a limousine from a limo carrier of passengers or from the driver
6 of the limousine.

7 (9) The secretary of state shall not provide an entire com-
8 puterized central file or other file of records maintained under
9 this act to a nongovernmental person or entity, unless the person
10 or entity pays the prescribed fee for each individual record con-
11 tained within the computerized file.

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

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

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

24 (13) As used in this section:

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

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.