

Legislative Analysis



DRIVER IMPROVEMENT COURSE

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Senate Bill 1066

Sponsor: Sen. John Pappageorge

House Committee: Judiciary

Senate Committee: Transportation

Complete to 12-8-08

A SUMMARY OF SENATE BILL 1066 AS PASSED BY THE SENATE 9-18-08

The bill would amend the Michigan Vehicle Code (MCL 257.3a) to allow an eligible driver who commits a moving violation to complete a basic driver improvement course as an alternative to receiving driver license points.

A “basic driver improvement course” would have to meet or exceed curriculum standards set forth in the *Defensive Driving Course Instructor Manual*, eighth edition, published by the National Safety Council; provide documented evidence of course effectiveness in reducing collisions or moving violations from a federal, state, or local agency; and contain other Secretary of State-approved information that was offered over the Internet or through classroom instruction. The bill would take effect January 1, 2009. A brief description of the bill follows.

The bill would add a new section to the vehicle code that would do the following:

- Allow a person who incurred a moving violation to attend and complete an approved basic driver improvement course, herein known as a “course.”
- If a driver were eligible to attend a course, require the Secretary of State (SOS) to postpone the entry of points and notification to the insurer pending a response by the driver of intent to attend and complete a course. (The bill as written requires the SOS to postpone the entry of points for the moving violation “or” make information available to the individual’s insurance company for at least 10 business days.)
- Require SOS to notify a driver of his or her eligibility to take a course along with the location of courses.
- Exclude from eligibility individuals with a commercial operator’s license, whether or not the moving violation occurred when operating a commercial or noncommercial vehicle.
- Exclude from eligibility individuals who previously successfully completed a course; who had three or more points on their driving record; or whose licenses was restricted, suspended, revoked, or for whom licenses were never issued.

- Exclude from eligibility a moving violation that was a criminal offense (e.g., reckless driving), for which four or more points could be assessed (e.g., driving 16 mph or more over the speed limit), or certain listed driving offenses such as speeding in a work or school zone.
- Require SOS to maintain a database of those who had attended and also of who had successfully completed a course. The database would be for determining eligibility for course participation and access to it would be restricted to SOS and approved course sponsors.
- Charge a fee of no more than \$100 to participate in a course. Fee revenue would be credited to the Basic Driver Improvement Course Fund and fund revenue could be expended only upon appropriation and only to pay the costs of administering and implementing provisions of the bill.
- Require sponsors of courses to conduct a study of the effect, if any, that the successful completion its course has on reducing collisions and moving violations for its students. A study would have to be completed every five years on each course delivery modality the sponsor employed.
- Require the SOS to report on the findings of the sponsors' studies to the standing committees of the House of Representatives and Senate on transportation issues.

FISCAL IMPACT:

Senate Bill 1066 would allow the Department of State to assess a fee of up to \$100 on eligible drivers who elect to take a basic driver improvement course after receiving a traffic citation, in certain instances. The department may also charge a fee for a completion certificate to drivers who successfully complete the proposed course. These fees would be deposited into a new fund, the Basic Driver Improvement Course Fund. Expenditures from the Fund may only be used for administration and costs of this program.

The bill mandates that the Secretary of State maintain a database of individuals who have attended and/or successfully completed the basic driver improvement course. While the amount of fees that will be collected is indeterminate and would vary based on the number of individuals who complete this course, the department anticipates that the proposed fees should adequately fund the costs associated with the proposed database.

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