

PASSENGER RESTRICTIONS FOR FIRST YEAR DRIVERS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4151

Sponsor: Rep. Edward Gaffney, Jr.

Committee: Transportation

Complete to 11-28-07

A SUMMARY OF HOUSE BILL 4151AS INTRODUCED 1-30-07

House Bill 4151 would amend the Michigan Vehicle Code (MCL 257.310e) to prohibit a first-year driver ("a person issued a level 2 graduated licensing status") from having more than one passenger under 18 years of age—other than immediate family members—unless accompanied by a parent or guardian.

Michigan has a three-tier driver licensing process that requires novice drivers to gain experience before earning full licensure. The graduated licensing process, designed to increase traffic safety, generally takes two years, and first-time drivers often begin their instruction at age 15.

Currently under the law, a level 1 licensee can operate a motor vehicle if he or she has a) passed a vision test and met health standards; b) passed a driver education course, including six hours of on-the-road driving; and c) received written approval of a parent or legal guardian. A person issued a level 1 license can operate a vehicle only when accompanied by a licensed parent (or legal guardian) or, with the parent's permission, when accompanied by a licensed driver 21 years of age or older. A level 1 driver must hold that license for at least six months.

A driver can move to level 2 after a) graduating from level 1; b) successfully completing more driver education classes; c) driving without a moving violation and driving accident-free; d) accumulating at least 50 hours behind-the-wheel (including at least 10 night-time hours) while accompanied by a parent, legal guardian, or person over 21 years old approved by the parent; and e) passing a driving skills test approved by the Secretary of State. A level 2 driver must hold that license for at least six months, and cannot drive between midnight and 5 a.m. unless permitted to do so by his or her parents. If the driver has moving violations during that time, the level 2 status is extended (up to age 18) until the driver has a 90-day accident free driving record.

Finally, a person who is at least 17 years of age can be issued a level 3 license if he or she drives 12 consecutive months without a moving violation or accident.

House Bill 4151 would retain all of these provisions, and also prohibit a person issued a level 2 graduated license from transporting more than one passenger under 18 years of age, other than immediate family members, unless accompanied by a parent or guardian.

FISCAL IMPACT:

The bill would result in additional revenue from fines paid by those found to have violated the law. The exact amount of additional revenue is indeterminate at this time and will be based on the number of violations.

Legislative Analyst: J. Hunault
Chris Couch
Fiscal Analyst: Mark Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.