



ANALYSIS

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Senate Bills 977 and 978 (as introduced 5-19-16)

Sponsor: Senator Steven Bieda (S.B. 977) Senator Tom Casperson (S.B. 978)

Committee: Transportation

Date Completed: 5-31-16

## **CONTENT**

<u>Senate Bill 977</u> would amend the Driver Education Provider and Instructor Act to allow a valid commercial learner's permit issued to a truck driver training student by a state other than Michigan to satisfy the requirement that a driver education provider verify that a prospective student has a valid temporary instruction permit issued by the Secretary of State before the provider provides behind-the-wheel driver education course instruction to the student.

Senate Bill 978 would amend the Michigan Vehicle Code to do the following:

- -- Require the Department of State to establish a pilot program that provides for the vehicle group designation testing of an individual who possesses a valid commercial license permit issued by a state other than Michigan.
- -- Provide that an individual who is the holder of a valid commercial license permit issued by a state other than Michigan would not be eligible for vehicle group designation testing unless certain conditions were satisfied.
- -- Require the pilot program to continue until the Department adopted official commercial driver license curriculum requirements for a person providing education to individuals seeking a vehicle group designation to qualify to provide the testing requirement to those individuals.

Each bill would take effect 90 days after it was enacted.

Senate Bill 977 is tie-barred to Senate Bill 978.

## Senate Bill 977

The Driver Education Provider and Instructor Act provides for the certification of driver education providers and instructors and prescribes certain record-keeping and program requirements for driver education providers, among other things.

Before a driver education provider provides behind-the-wheel driver education course instruction to an adult or truck driver training student, the provider must verify that the student has a valid temporary instruction permit issued by the Secretary of State under Section 306 of the Code. The Secretary of State may prescribe the method and manner that a driver education provider uses to verify a student's temporary instruction permit.

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The bill would allow a valid commercial learner's permit issued to a truck driver training student by a state other than Michigan to satisfy the requirement that a driver education provider verify that a prospective student has a valid temporary instruction permit issued by the Secretary of State before the provider provides behind-the-wheel driver education course instruction to the student.

(Section 306 provides for the issuance of a temporary instruction permit for an applicant, and prescribes the conditions under which the Secretary of State may issue the permit, among other things.)

# Senate Bill 978

Under the bill, the Department of State would have to establish a pilot program that, as determined by the Department, provided for the vehicle group designation testing of an individual who held a valid commercial license permit issued by a state other than Michigan.

An individual who held a valid commercial license permit issued by another state would not be eligible for vehicle group designation testing in Michigan unless all of the following were satisfied:

- -- The individual had successfully completed a truck driver training curriculum that had been approved by the Department and provided by a person approved to provide truck driver training under the Driver Education Provider and Instructor Act.
- -- The state that issued the commercial license permit is a participant in an electronic national commercial driver examination reporting system in which Michigan is also a participant on the bill's effective date.

The pilot program would have to continue until the Department adopted official commercial driver license curriculum requirements for a person providing education to individuals seeking to obtain a vehicle group designation described in Section 312e of the Michigan Vehicle Code to qualify to provide the testing required for those individuals under Section 309 of the Code.

(Section 312e provides for the operation of a commercial motor vehicle, vehicle group designations, and testing requirements, among other things. Vehicle group designations are based upon different criteria.

Section 309 provides for the examination of an applicant for an operator's or chauffeur's license, as well as a person seeking a vehicle group designation or indorsement, among other things.)

MCL 256.675 (S.B. 977) Proposed MCL 257.312j (S.B. 978) Legislative Analyst: Drew Krogulecki

### **FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.