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BILL ANALYSIS



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House Bill 5656 (Substitute H-1 as passed by the House)
House Bill 5657 (Substitute H-1 as passed by the House)
Sponsor: Representative Marilyn Lane (H.B. 5656)
Representative Peter Pettalia (H.B. 5657)
House Committee: Transportation and Infrastructure
Senate Committee: Transportation

Date Completed: 10-19-16

CONTENT**House Bill 5656 (H-1) would amend the Michigan Vehicle Code to do the following:**

- Require the Department of State to establish a pilot program that provided for the skills testing of an individual who possessed a valid commercial learner's permit issued by a state other than Michigan.
- Provide that an individual who held a valid commercial learner's permit issued by another state would not be eligible for skills testing unless certain conditions were satisfied.
- Require the pilot program to continue until the Department adopted curriculum requirements for a person providing instruction to individuals seeking a vehicle group designation or indorsement.

House Bill 5657 (H-1) would amend the Driver Education Provider and Instructor Act to require a driver education provider to verify that a prospective student had either a valid temporary instruction permit issued by the Secretary of State or a valid commercial learner's permit issued by a state other than Michigan, before providing behind-the-wheel instruction to the student.

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

House Bill 5657 (H-1) is tie-barred to House Bill 5656.

House Bill 5656 (H-1)

The bill would require the Department of State to establish a pilot program that, as determined by the Department, provided for the skills testing of an individual who held a valid commercial learner's permit issued by a state other than Michigan.

An individual who held a valid commercial learner's permit issued by another state would not be eligible for skills testing in Michigan unless both 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 learner's permit was a participant in an electronic national commercial driver examination reporting system in which Michigan was also a participant on the bill's effective date.

The pilot program would have to continue until the Department adopted curriculum requirements for a person providing instruction to individuals seeking a vehicle group designation or indorsement described in Section 312e of the Michigan Vehicle 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 varying criteria.)

House Bill 5657 (H-1)

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 Michigan Vehicle 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.

The bill would require a driver education provider verify either that a prospective student had a valid temporary instruction permit issued by the Secretary of State or that the student had a valid commercial learner's permit issues by another state.

(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.)

Proposed MCL 257.312j (H.B. 5656)
MCL 256.675 (H.B. 5657)

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

House Bill 5656 (H-1)

The bill would have a minimal fiscal impact on the Department of State for costs associated with developing and implementing the required pilot program for the vehicle group designation testing of individuals holding a valid commercial driver license permit issued by a state other than Michigan. The costs would be minimal and could be absorbed within the Department's current annual appropriations; thus, no additional appropriations would be necessary.

The bill would have no fiscal impact on local government.

House Bill 5657 (H-1)

The bill 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.