

DRIVER EDUCATION PROVIDER AND INSTRUCTOR ACT (EXCERPT)
Act 384 of 2006

256.625 Definitions; D to M.

Sec. 5. As used in this act:

(a) "Driver education instructor preparation program" means a program of driver education instructor preparation courses offered by a college or university or by a person approved by the secretary of state.

(b) Except as otherwise provided in this act, "driver education instructor preparation courses" means the courses that are required to obtain a driver education instructor certificate.

(c) "Driver education provider" or "provider" means a person that meets the requirements in subparagraph (i), if not excluded under subparagraph (ii), as follows:

(i) Maintains or obtains the facilities and certified instructors to give instruction in the driving of a motor vehicle or maintains or obtains the facilities and certified instructors to prepare an applicant for an exam given by the secretary of state for a license as defined in section 25 of the Michigan vehicle code, 1949 PA 300, MCL 257.25, or a vehicle endorsement issued under section 312e of the Michigan vehicle code, 1949 PA 300, MCL 257.312e.

(ii) Driver education provider does not include a person that provides instruction as follows:

(A) Only for the benefit of its employees if that instruction is not open to the public.

(B) In the driving or operating of a motorcycle as defined in section 31 of the Michigan vehicle code, 1949 PA 300, MCL 257.31, or the preparing of an applicant for an exam given by the secretary of state for a motorcycle endorsement issued under section 312a of the Michigan vehicle code, 1949 PA 300, MCL 257.312a.

(C) On an unpaid, casual basis to a relative or friend, that excludes commercial vehicle use or instruction.

(d) "Driver education provider certificate" means a written or electronic authorization issued by the secretary of state to indicate that a person has met the driver education provider qualifications of this act.

(e) "Educational institution" means a public school, nonpublic school, or public school academy as those terms are defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5; a consortium that is defined to mean a partnership, association, or alliance of 2 or more school districts in a common venture; a community college, a 4-year college, a university, or any other body of higher education.

(f) "Established office location" means a building that meets all of the following requirements:

(i) Is of a permanent nature where the provider's communications and notices are received.

(ii) Is heated, lighted, and ventilated and contains appropriate space to properly store and preserve the information, records, or other documents required to be maintained under this act.

(iii) Complies with applicable zoning and municipal requirements.

(g) "Governmental agency" means an agency of the federal government, a state government, a county, city, village, or township, or a combination of any of these entities.

(h) "Graduated driver license" means a license issued by the secretary of state under section 310e of the Michigan vehicle code, 1949 PA 300, MCL 257.310e.

(i) "Multiple vehicle driving facility" means that part of a driver education course that enables the driver education instructor, from a position outside the vehicle, and using electronic or oral communication, to teach and supervise several students simultaneously, each of whom is operating a vehicle at an off-street facility specifically designed for that type of instruction.

History: 2006, Act 384, Eff. Oct. 1, 2006;—Am. 2022, Act 192, Imd. Eff. Oct. 4, 2022.