

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

256.687 Deceptive or unconscionable methods, acts, or practices.

Sec. 67. A driver education provider or instructor shall not engage in a deceptive or unconscionable method, act, or practice. The following are deceptive or unconscionable methods, acts, or practices:

(a) Using, adopting, or conducting business under a name that is the same as, like, or deceptively similar to, the name of another driver education provider.

(b) Except as otherwise provided in this subsection, using the word "state", "government", "municipal", "city", or "county" as part of the name of the driver education provider. This provision does not apply to an educational institution or a governmental agency.

(c) Advertising, representing, or implying that a driver education provider is supervised, recommended, or endorsed by, or affiliated or associated with, or employed by, or an agent or representative of this state, the secretary of state, or a bureau of the secretary of state.

(d) Advertising or publicizing under a name other than the provider's full business name as identified on the provider's application for a driver education provider certificate.

(e) Advertising that the provider is open for business before the secretary of state issues a driver education provider certificate to the provider.

(f) Soliciting business on the premises of any facility rented, leased, owned, or used by the secretary of state.

(g) Misrepresenting the quantity or quality of the instruction provided or the requirements for a driver license, endorsement, minor restricted or temporary permit, or driver education certificate.

(h) Failing to promptly restore any deposit, down payment, or other payment that a person is entitled to after an agreement is rescinded, canceled, or otherwise terminated as required under the agreement or applicable law.

(i) Taking advantage of a student's or potential student's inability to reasonably protect his or her interest because of a disability, illiteracy, or inability to understand the language of an agreement, if the driver education provider knows or reasonably should have known of the student's or potential student's inability.

(j) Failing to honor a term of a student's, parent's, or legal guardian's agreement.

(k) Falsifying a document, agreement, record, report, or certificate required under this act or a rule promulgated under this act.

(l) Causing or allowing a student, parent, or legal guardian to sign a document in blank.

History: 2006, Act 384, Eff. Oct. 1, 2006.