

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.306 Temporary instruction permit; operation of motor vehicle without operator's license or permit; pandemic expiration extension; temporary driver education certificate; motorcycle temporary instruction permit.

Sec. 306. (1) The secretary of state, on receiving an application for a temporary instruction permit from an individual who is 18 years of age or older, may issue that permit that entitles the applicant, while carrying the permit, to drive a motor vehicle other than a motor vehicle requiring an indorsement under section 312a or a vehicle group designation under section 312e on the highways for a period of 180 days when accompanied by a licensed adult operator or chauffeur who is actually occupying a seat beside the driver. A temporary instruction permit issued under this subsection that expires on or after March 1, 2020 is valid until March 31, 2021. A temporary instruction permit issued under this subsection that expires after March 31, 2021 but before August 1, 2021 is valid until 120 days after the date of the expiration.

(2) The secretary of state may issue an original operator's license and designate level 1, 2, or 3 graduated licensing provisions to an individual who is less than 18 years of age, has been licensed in another state or country, and has satisfied the applicable requirements of section 310e. An original operator's license with a designated level 1, 2, or 3 graduated licensing provision issued under this subsection that expires on or after March 1, 2020 is valid until March 31, 2021. An original operator's license with a designated level 1, 2, or 3 graduated licensing provision issued under this subsection that expires after March 31, 2021 but before August 1, 2021 is valid until 120 days after the date of the expiration.

(3) A student enrolled in a driver education course as that term is defined in section 3 of the driver education provider and instructor act, 2006 PA 384, MCL 256.623, or a motorcycle safety course approved by the department of state may operate a motor vehicle that does not require a group designation under section 312e without holding an operator's license or permit while under the direct supervision of the program instructor.

(4) A student enrolled in a driver education course as that term is defined in section 3 of the driver education provider and instructor act, 2006 PA 384, MCL 256.623, and who has successfully completed 10 hours of classroom instruction and the equivalent of 2 hours of behind-the-wheel training may be issued a temporary driver education certificate furnished by the department of state that authorizes a student to drive a motor vehicle, other than a motor vehicle that requires an indorsement under section 312a or a vehicle group designation under section 312e, when accompanied by a licensed parent or guardian, or when accompanied by a nonlicensed parent or guardian and a licensed adult for the purpose of receiving additional instruction until the end of the student's driver education course. A temporary driver education certificate issued under this subsection that expires on or after March 1, 2020 is valid until March 31, 2021. A temporary driver education certificate issued under this subsection that expires after March 31, 2021 but before August 1, 2021 is valid until 120 days after the date of the expiration.

(5) Beginning January 1, 2015, the secretary of state, on receiving proper application from an individual 16 or 17 years of age who is enrolled in or has successfully completed an approved motorcycle safety course under section 811a, or an individual who is 18 years of age or older and who holds a valid operator's or chauffeur's license, may issue a motorcycle temporary instruction permit that entitles the applicant, while carrying the permit, to operate a motorcycle on the public streets and highways for a period of 180 days under the following conditions:

(a) The applicant shall operate the motorcycle under the constant visual supervision of a licensed motorcycle operator who is at least 18 years of age.

(b) The applicant shall not operate the motorcycle at night.

(c) The applicant shall not operate the motorcycle with a passenger.

(d) The applicant shall not be eligible for more than 2 motorcycle temporary instruction permits in a 10-year period.

(6) A motorcycle temporary instruction permit issued under subsection (5) that expires on or after March 1, 2020 is valid until March 31, 2021. A motorcycle temporary instruction permit issued under subsection (5) that expires after March 31, 2021 but before August 1, 2021 is valid until 120 days after the date of the expiration.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1956, Act 60, Imd. Eff. Apr. 2, 1956;—Am. 1957, Act 141, Imd. Eff. May 28, 1957;—Am. 1972, Act 61, Imd. Eff. Mar. 1, 1972;—Am. 1976, Act 24, Imd. Eff. Feb. 27, 1976;—Am. 1978, Act 139, Eff. May 1, 1979;—Am. 1979, Act 8, Imd. Eff. May 1, 1979;—Am. 1980, Act 174, Imd. Eff. June 23, 1980;—Am. 1980, Act 335, Imd. Eff. Dec. 23, 1980;—Am. 1982, Act 187, Eff. Jan. 1, 1984;—Am. 1988, Act 346, Eff. Jan. 1, 1990;—Am. 1996, Act 387, Eff. Apr. 1, 1997;—Am. 1999, Act 40, Imd. Eff. June 9, 1999;—Am. 2002, Act 534, Eff. Oct. 1, 2002;—Am. 2004, Act 71, Imd. Eff. Apr. 20, 2004;—Am. 2004, Act
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362, Imd. Eff. Oct. 4, 2004;—Am. 2006, Act 298, Imd. Eff. July 20, 2006;—Am. 2011, Act 159, Imd. Eff. Sept. 30, 2011;—Am. 2014, Act 120, Eff. Jan. 1, 2015;—Am. 2015, Act 11, Eff. July 8, 2015;—Am. 2020, Act 127, Imd. Eff. July 1, 2020;—Am. 2020, Act 241, Eff. Oct. 28, 2020;—Am. 2020, Act 304, Imd. Eff. Dec. 29, 2020;—Am. 2021, Act 71, Imd. Eff. July 29, 2021.

Compiler's note: Section 2 of Act 346 of 1988 provides:

“(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

“(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

“(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act.”

Section 2 of Act 173 of 1989 provides:

“(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

“(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed.”

Enacting section 1 of Act 71 of 2021 provides:

"Enacting section 1. Sections 216(2), 217(11) and (12), 226(11) and (13), 255(4), 301(6), 306(1), (2), (4), and (6), 306a(4), 309(11), 312k(1), 314(7), 801k(1) and (2), and 811(5) of the Michigan vehicle code, 1949 PA 300, MCL 257.216, 257.217, 257.226, 257.255, 257.301, 257.306, 257.306a, 257.309, 257.312k, 257.314, 257.801k, and 257.811, as amended by this amendatory act, are intended to be retroactive and apply retroactively."