HB-4781, As Passed House, February 18, 2014HB-4781, As Passed Senate, April 22, 2014

SUBSTITUTE FOR

HOUSE BILL NO. 4781

A bill to amend 1949 PA 300, entitled "Michigan vehicle code,"

by amending section 306 (MCL 257.306), as amended by 2011 PA 159.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 306. (1) The secretary of state, upon receiving an 2 application for a temporary instruction permit from a person who is 3 18 years of age or older, may issue that permit entitling the 4 applicant, while carrying the permit, to drive a motor vehicle 5 other than a motor vehicle requiring an indorsement under section 6 312a or a vehicle group designation under section 312e upon the 7 highways for a period of 180 days when accompanied by a licensed adult operator or chauffeur who is actually occupying a seat beside 8 9 the driver.

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(2) The secretary of state may issue an original operator's

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license and designate level 1, 2, or 3 graduated licensing
 provisions to a person 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.

5 (3) A student enrolled in a driver education course as that
6 term is defined in section 3 of the driver education provider and
7 instructor act, 2006 PA 384, MCL 256.623, or a motorcycle safety
8 course approved by the department of state may operate a motor
9 vehicle without holding an operator's license or permit while under
10 the direct supervision of the program instructor.

11 (4) A student enrolled in a driver education course as that 12 term is defined in section 3 of the driver education provider and 13 instructor act, 2006 PA 384, MCL 256.623, and who has successfully completed 10 hours of classroom instruction and the equivalent of 2 14 hours of behind-the-wheel training may be issued a temporary driver 15 16 education certificate furnished by the department of state that 17 authorizes a student to drive a motor vehicle, other than a motor 18 vehicle requiring an indorsement pursuant to UNDER section 312a or 19 a vehicle group designation pursuant to UNDER section 312e, when 20 accompanied by a licensed parent or guardian, or when accompanied 21 by a nonlicensed parent or guardian and a licensed adult for the purpose of receiving additional instruction until the end of the 22 23 student's driver education course.

24 (5) The BEGINNING JANUARY 1, 2015, THE secretary of state,
25 upon receiving proper application from a person 16 or 17 years of
26 age who is enrolled in or has successfully completed an approved
27 motorcycle safety course under section 811a, or a person who is 18

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1 years of age or older and who holds a valid operator's or 2 chauffeur's license, may issue a motorcycle temporary instruction permit entitling the applicant, while carrying the permit, to 3 4 operate a motorcycle upon the public streets and highways for a 5 period of 180 days , but only when under the constant visual 6 supervision of a licensed motorcycle operator at least 18 years of 7 age. The applicant shall not operate the motorcycle at night or with a passenger. UNDER THE FOLLOWING CONDITIONS: 8

9 (A) THE APPLICANT SHALL OPERATE THE MOTORCYCLE UNDER THE 10 CONSTANT VISUAL SUPERVISION OF A LICENSED MOTORCYCLE OPERATOR WHO 11 IS AT LEAST 18 YEARS OF AGE.

12 (B) THE APPLICANT SHALL NOT OPERATE THE MOTORCYCLE AT NIGHT.
13 (C) THE APPLICANT SHALL NOT OPERATE THE MOTORCYCLE WITH A
14 PASSENGER.

15 (D) THE APPLICANT SHALL NOT BE ELIGIBLE FOR MORE THAN 2
16 MOTORCYCLE TEMPORARY INSTRUCTION PERMITS IN A 10-YEAR PERIOD.

17 (6) Except as prohibited under federal law, the secretary of 18 state, upon receiving proper application from a person who is 18 19 years of age or older, who holds a valid operator's or chauffeur's 20 license other than a restricted license, and who has passed the 21 knowledge test for an original vehicle group designation or 22 indorsement, and, if the person is applying for a hazardous 23 material indorsement, the person has been approved for the 24 hazardous materials indorsement by the transportation security 25 administration, may issue a temporary instruction permit entitling 26 the person, while carrying the permit, to drive a vehicle requiring 27 a vehicle group designation or vehicle group indorsement under

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1 section 312e upon the streets and highways for a period of 180 2 days, but only when accompanied by a licensed adult operator or chauffeur who is licensed with the appropriate vehicle group 3 4 designation and indorsement for the vehicle group being driven and 5 who is actually occupying a seat beside the driver, or behind the 6 driver if the permittee is driving a bus or school bus. In addition, if a permittee is enrolled in a driver training program 7 for drivers of motor vehicles requiring a vehicle group designation 8 9 or vehicle group indorsement under section 312e, which program is 10 conducted by a college, a university, a school licensed by the 11 department under the driver education provider and instructor act, 12 2006 PA 384, MCL 256.621 to 256.705, or a local or intermediate 13 school district, the permittee may drive a vehicle requiring a 14 vehicle group designation or vehicle group indorsement on the streets and highways of this state for a period of 180 days when 15 accompanied by an instructor licensed with the appropriate vehicle 16 17 group designation and indorsement for the vehicle being driven who 18 is either occupying the seat beside the driver or in direct visual 19 and audio communication with the permittee. A person issued a 20 temporary instruction permit under this section shall not operate a 21 vehicle designed to carry 16 or more passengers that is 22 transporting passengers except with an instructor licensed with the 23 appropriate vehicle group designation and indorsement for the 24 vehicle being driven or a driver skills test examiner.

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25 Enacting section 1. This amendatory act takes effect January26 1, 2015.

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