

# HOUSE BILL No. 5785

June 27, 1988, Introduced by Rep. Middaugh and referred to the  
Committee on Judiciary.

A bill to amend Act No. 300 of the Public Acts of 1949,  
entitled as amended

"Michigan vehicle code,"

as amended, being sections 257.1 to 257.923 of the Michigan  
Compiled Laws, by adding section 319b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 300 of the Public Acts of 1949, as  
2 amended, being sections 257.1 to 257.923 of the Michigan Compiled  
3 Laws, is amended by adding section 319b to read as follows:

4 SEC. 319B. (1) A PERSON 13 TO 17 YEARS OF AGE WITHIN THE  
5 JURISDICTION OF THE JUVENILE DIVISION OF THE PROBATE COURT PURSU-  
6 ANT TO SECTION 2 OF CHAPTER XIIA OF THE PROBATE CODE, ACT NO. 288  
7 OF THE PUBLIC ACTS OF 1939, BEING SECTION 712A.2 OF THE MICHIGAN  
8 COMPILED LAWS, OR OF ANOTHER STATE'S JUVENILE COURT FOR ANY ACT,  
9 THE NATURE OF WHICH CONSTITUTES A VIOLATION OF A LAW OF THIS

1 STATE, OR A LOCAL ORDINANCE OR LAW OF ANOTHER STATE SUBSTANTIALLY  
2 CORRESPONDING WITH A LAW OF THIS STATE, INVOLVING THE USE, CON-  
3 SUMPTION, POSSESSION, OR DISTRIBUTION OF ALCOHOL OR A CONTROLLED  
4 SUBSTANCE, SHALL BE DENIED HIS OR HER MOTOR VEHICLE DRIVING  
5 PRIVILEGES.

6 (2) A PERSON 15 TO 17 YEARS OF AGE CONVICTED OF VIOLATING A  
7 LAW OF THIS STATE, OR A LOCAL ORDINANCE OR LAW OF ANOTHER STATE  
8 SUBSTANTIALLY CORRESPONDING TO A LAW OF THIS STATE, INVOLVING THE  
9 USE, CONSUMPTION, POSSESSION, OR DISTRIBUTION OF ALCOHOL OR A  
10 CONTROLLED SUBSTANCE SHALL BE DENIED MOTOR VEHICLE DRIVING  
11 PRIVILEGES.

12 (3) THE COURT OR JUVENILE DIVISION OF THE PROBATE COURT  
13 SHALL IMMEDIATELY SEND NOTICE OF THE ORDER OF DISPOSITION OR AN  
14 ORDER OF CONVICTION OF A PERSON PRESCRIBED IN THIS SECTION TO THE  
15 SECRETARY OF STATE AND SHALL ORDER THE SECRETARY OF STATE TO  
16 IMMEDIATELY DENY THAT PERSON'S DRIVING PRIVILEGES.

17 (4) UPON RECEIPT OF AN ORDER FROM A COURT OR JUVENILE DIVI-  
18 SION OF A PROBATE COURT, THE SECRETARY OF STATE SHALL IMMEDIATELY  
19 DENY THE DRIVING PRIVILEGES OF THE PERSON DESCRIBED IN THE ORDER  
20 IN THE FOLLOWING MANNER:

21 (A) UPON RECEIPT OF A FIRST ORDER DENYING DRIVING PRIVILEGES  
22 TO A PERSON PRESCRIBED IN THIS SECTION, THE SECRETARY OF STATE  
23 SHALL DENY THE PERSON'S DRIVING PRIVILEGES FOR 1 YEAR, OR UNTIL  
24 THE PERSON REACHES 17 YEARS OF AGE, WHICHEVER IS LONGER.

25 (B) UPON RECEIPT OF A SECOND OR SUBSEQUENT ORDER DENYING  
26 DRIVING PRIVILEGES TO A PERSON PRESCRIBED IN THIS SECTION, THE  
27 SECRETARY OF STATE SHALL DENY THE PERSON'S DRIVING PRIVILEGES FOR

1 1 YEAR, OR UNTIL THE PERSON REACHES 18 YEARS OF AGE OR OLDER,  
2 WHICHEVER IS LONGER.

3 (5) IF A COURT OR A JUVENILE DIVISION OF A PROBATE COURT HAS  
4 ISSUED AN ORDER DENYING THE DRIVING PRIVILEGES OF A PERSON UNDER  
5 THIS SECTION, THE COURT OR JUVENILE DIVISION OF A PROBATE COURT,  
6 UPON PETITION OF THE PERSON, MAY REVIEW THE ORDER AND MAY WITH-  
7 DRAW THE ORDER AT ANY TIME THE COURT CONSIDERS APPROPRIATE EXCEPT  
8 AS PROVIDED IN THE FOLLOWING:

9 (A) A COURT OR A JUVENILE DIVISION OF A PROBATE COURT SHALL  
10 NOT WITHDRAW AN ORDER ISSUED UNDER THIS SECTION FOR A PERIOD OF  
11 90 DAYS FOLLOWING THE DATE THE ORDER WAS ISSUED IF THE ORDER WAS  
12 THE FIRST ORDER ISSUED FOR THAT PERSON.

13 (B) A COURT OR A JUVENILE DIVISION OF A PROBATE COURT SHALL  
14 NOT WITHDRAW AN ORDER FOR 1 YEAR FOLLOWING THE DATE THE ORDER WAS  
15 ISSUED IF THE ORDER WAS THE SECOND OR SUBSEQUENT ORDER ISSUED FOR  
16 THAT PERSON.

17 (6) AN ORDER DENYING DRIVING PRIVILEGES ISSUED TO A PERSON  
18 UNDER THIS SECTION SHALL BE IN ADDITION TO ANY OTHER SUSPENSION  
19 OF AN OPERATOR'S OR CHAUFFEUR'S LICENSE RECEIVED UNDER THIS ACT.

20 (7) AS USED IN THIS SECTION, "DRIVING PRIVILEGES" MEANS THE  
21 OPERATION OF A MOTOR VEHICLE WITH AN OPERATOR'S OR CHAUFFEUR'S  
22 LICENSE OR THE RIGHT TO BE ISSUED A TEMPORARY DRIVER'S PERMIT OR  
23 AN OPERATOR'S OR CHAUFFEUR'S LICENSE UNDER THIS ACT.