



HOUSE BILL No. 5539

May 10 1994 Introduced by Rep Middaugh and referred to the Committee on Local Government

A bill to amend section 306 of Act No 300 of the Public Acts of 1949, entitled as amended

'Michigan vehicle code,'

as amended by Act No 346 of the Public Acts of 1988, being section 257 306 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 306 of Act No 300 of the Public Acts of
2 1949, as amended by Act No 346 of the Public Acts of 1988, being
3 section 257 306 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 306 (1) ~~The secretary of state upon~~ UPON receiving
6 ~~from a person 16 or 17 years of age who has successfully com~~
7 ~~pleted a driver education course and examination offered pursuant~~
8 ~~to section 811 who has been licensed in another state or country~~
9 ~~for at least 1 year and is less than 18 years of age or who is~~

1 ~~18 years of age or older,~~ an application for a temporary
 2 instruction permit FROM ANY OF THE FOLLOWING, THE SECRETARY OF
 3 STATE may issue ~~that~~ A permit entitling the applicant ~~, while~~
 4 ~~carrying the permit,~~ to ~~drive~~ OPERATE a motor vehicle ~~other~~
 5 ~~than a~~ UPON THE HIGHWAYS FOR A PERIOD OF 150 DAYS IF THE motor
 6 vehicle ~~requiring~~ DOES NOT REQUIRE an indorsement under section
 7 312a or a vehicle group designation under section 312e, ~~upon the~~
 8 ~~highways for a period of 150 days when~~ AND IF THE APPLICANT IS
 9 CARRYING THE PERMIT AND accompanied by a licensed adult operator
 10 or chauffeur who is actually occupying a seat beside the driver
 11 —

12 (A) A PERSON NOT LESS THAN 16 OR MORE THAN 17 YEARS OF AGE
 13 WHO HAS DONE BOTH OF THE FOLLOWING

14 (1) OBTAINED A DRIVER EDUCATION CERTIFICATE VALIDATED BY THE
 15 SECRETARY OF STATE PURSUANT TO SUBSECTION (4)

16 (2) PASSED A TEST OR TESTS ESTABLISHED UNDER SECTION 309
 17 THAT DEMONSTRATE TO THE SECRETARY OF STATE S SATISFACTION THAT
 18 THE APPLICANT CAN READ AND UNDERSTAND HIGHWAY WARNINGS AND DIREC-
 19 TION SIGNS PRINTED IN ENGLISH

20 (B) A PERSON LESS THAN 18 YEARS OF AGE WHO HAS BEEN LICENSED
 21 FOR AT LEAST 1 YEAR IN ANOTHER STATE OR COUNTRY

22 (C) A PERSON 18 YEARS OF AGE OR OLDER

23 (2) A student enrolled in a driver education program or a
 24 motorcycle safety course approved by the department of education
 25 may operate a motor vehicle without holding an operator's license
 26 or permit while under the direct supervision of the program
 27 instructor

1 (3) ~~—A~~ THE DEPARTMENT OF EDUCATION MAY ISSUE TO A student
 2 enrolled in an approved driver education program and who has suc-
 3 cessfully completed 10 hours of classroom instruction and the
 4 equivalent of 2 hours of behind-the-wheel training ~~may be~~
 5 ~~issued~~ a temporary driver education certificate ~~furnished by~~
 6 ~~the department of education which~~ THAT authorizes ~~a~~ THE stu-
 7 dent to ~~drive~~ OPERATE a motor vehicle, other than a motor vehi-
 8 cle requiring an indorsement pursuant to section 312a or a vehi-
 9 cle group designation pursuant to section 312e, ~~when~~ IF THE
 10 STUDENT IS accompanied by a licensed parent or guardian, or ~~when~~
 11 ~~accompanied~~ by a nonlicensed parent or guardian and a licensed
 12 adult for the purpose of receiving additional instruction A TEM-
 13 PORARY DRIVER EDUCATION CERTIFICATE ISSUED TO A STUDENT UNDER
 14 THIS SECTION IS VALID until the end of the student's driver edu-
 15 cation course

16 (4) Upon AN APPLICANT S successful completion of an approved
 17 driver education course, the secretary of state may validate a
 18 driver education certificate issued to ~~an~~ THAT applicant AT
 19 THE TIME OF THE VALIDATION THE SECRETARY OF STATE SHALL ADDI-
 20 TIONALLY CONFIRM THAT THE APPLICANT HAS PASSED A TEST OR TESTS
 21 ESTABLISHED UNDER SECTION 309 THAT DEMONSTRATE TO THE SECRETARY
 22 OF STATE'S SATISFACTION THAT THE APPLICANT CAN READ OR UNDERSTAND
 23 HIGHWAY WARNINGS AND DIRECTION SIGNS PRINTED IN ENGLISH The
 24 driver education certificate authorizes the holder to ~~drive~~
 25 OPERATE a motor vehicle ~~, except a motor vehicle requiring~~ THAT
 26 DOES NOT REQUIRE an indorsement under section 312a or a vehicle
 27 group designation under section 312e ~~, when~~ IF THE HOLDER IS

1 accompanied by a licensed parent or guardian, or ~~when~~
2 ~~accompanied~~ by a nonlicensed parent or guardian and a licensed
3 adult for the purpose of additional instruction until reaching 18
4 years of age

5 (5) ~~The secretary of state, upon~~ UPON receiving ~~proper~~
6 AN application from ~~a person 16 or 17 years of age who is~~
7 ~~enrolled in or has successfully completed an approved motorcycle~~
8 ~~safety course under section 811a, or a person who is 18 years of~~
9 ~~age or older and who holds a valid operator's or chauffeur's~~
10 ~~license~~ EITHER OF THE FOLLOWING, THE SECRETARY OF STATE may
11 issue a motorcycle temporary instruction permit ~~, entitling~~
12 THAT ENTITLES the applicant, while carrying the permit, to oper-
13 ate a motorcycle upon the ~~public streets and~~ highways DURING
14 DAYLIGHT HOURS for a period of 150 days, ~~but only when~~ IF THE
15 APPLICANT IS under the constant visual supervision of a licensed
16 motorcycle operator at least 18 years of age, ~~—The~~ AND IF THE
17 applicant ~~shall~~ IS not ~~operate~~ OPERATING the motorcycle ~~at~~
18 ~~night or~~ with a passenger —

19 (A) A PERSON NOT LESS THAN 16 OR MORE THAN 17 YEARS OF AGE
20 WHO IS ENROLLED IN OR HAS SUCCESSFULLY COMPLETED A MOTORCYCLE
21 SAFETY COURSE DESCRIBED IN SECTION 811A

22 (B) A PERSON 18 YEARS OF AGE OR OLDER WHO HOLDS A VALID
23 OPERATOR'S OR CHAUFFEUR'S LICENSE

24 (6) ~~The secretary of state, upon~~ UPON receiving ~~proper~~
25 AN application from a person ~~who is~~ 18 years of age or older
26 ~~—~~ who holds a valid operator's or chauffeur's license, THE
27 SECRETARY OF STATE may issue a temporary instruction permit

1 entitling the person ~~while carrying the permit to drive~~
2 OPERATE a vehicle requiring a vehicle group designation or vehi-
3 cle group indorsement under section 312e upon the ~~streets and~~
4 highways, for a period of 150 days, but only ~~when~~ IF THE PERSON
5 IS CARRYING THE PERMIT AND IS accompanied by ~~a licensed~~ AN
6 adult operator or chauffeur who is licensed with the appropriate
7 vehicle group designation and indorsement for the vehicle group
8 being driven and who is actually occupying a seat beside the
9 driver, or behind the driver if the permittee is driving a bus or
10 school bus ~~In addition, if a permittee~~ IF THE PERSON TO WHOM
11 A PERMIT IS ISSUED UNDER THIS SUBSECTION is enrolled in a ~~driver~~
12 ~~training~~ program DESCRIBED IN THIS SUBSECTION, ~~for drivers of~~
13 ~~motor vehicles requiring a vehicle group designation or vehicle~~
14 ~~group indorsement under section 312e, which program is conducted~~
15 ~~by a college university commercial driver training school~~
16 ~~licensed by the department pursuant to Act No 369 of the Public~~
17 ~~Acts of 1974, as amended, being sections 256 601 to 256 609 of~~
18 ~~the Michigan Compiled Laws or a local or intermediate school~~
19 ~~district,~~ the ~~permittee~~ PERSON may ~~drive~~ OPERATE a vehicle
20 requiring a vehicle group designation or vehicle group indorse-
21 ment on the ~~streets and~~ highways of this state for a period of
22 150 days ~~when~~ IF HE OR SHE IS accompanied by an instructor
23 licensed with the appropriate vehicle group designation and
24 indorsement for the vehicle being ~~driven who~~ OPERATED, AND IF
25 THAT INSTRUCTOR is either occupying the seat beside the ~~driver~~
26 OPERATOR or IS in direct visual and audio communication with the
27 ~~permittee~~ OPERATOR AS USED IN THIS SUBSECTION, "PROGRAM"

1 MEANS A DRIVER S TRAINING PROGRAM CONDUCTED BY ANY OF THE
2 FOLLOWING FOR DRIVERS OF MOTOR VEHICLES REQUIRING A VEHICLE GROUP
3 DESIGNATION OR VEHICLE GROUP INDORSEMENT UNDER SECTION 312E

4 (A) A COLLEGE OR UNIVERSITY

5 (B) A COMMERCIAL DRIVER TRAINING SCHOOL LICENSED BY THE
6 DEPARTMENT PURSUANT TO ACT NO 369 OF THE PUBLIC ACTS OF 1974,
7 BEING SECTIONS 256 601 TO 256 609 OF THE MICHIGAN COMPILED LAWS

8 (C) A LOCAL OR INTERMEDIATE SCHOOL DISTRICT