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DRIVER IMPROVEMENT INSTRUCTION; WAIVER OF POINTS

House Bill 5120
Sponsor: Rep. Randy Richardville
Committee: Transportation

Complete to 10-8-01

A SUMMARY OF HOUSE BILL 5120 AS INTRODUCED 10-2-01

House Bill 5120 would amend the Michigan Vehicle Code to allow for a waiver of driver license points assessed for certain violations, upon completion of a driver improvement course.

More specifically, House Bill 5120 would prohibit the secretary of state from entering points on a driver's record if within 60 days after he or she was convicted, the driver did all of the following:

- completed a course of driver improvement instruction at a recognized school; and
- presented a driver improvement certificate that showed successful completion of the course to the secretary of state.

However, House Bill 5120 specifies that waiving of violation points would not apply if any of the following circumstances existed:

- a person had been previously allowed a waiver of points within one year before the date of a subsequent conviction;
- a person had been previously allowed a waiver of points for three other violations;
- the conviction or finding of responsibility was for any of the following seven violations:
 - fleeing or eluding a police officer or a conservation officer;
 - failing to stop and disclose one's identify at the scene of an accident;
 - operating a motor vehicle under the influence of an intoxicating liquor or a controlled substance, or a combination of the two, or while having a blood alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine;
 - operating a motor vehicle while visibly impaired by the consumption of an intoxicating liquor or a controlled substance, or a combination of the two;
 - reckless driving;
 - manslaughter; or

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- negligent homicide.

Under House Bill 5120, the secretary of state would be required to inform all drivers who inquired about their eligibility for a waiver of points, and provide them with information about driver improvement instruction.

Finally, when violation points can be entered on a driver's record, the bill would require that the violation citation contain a statement to inform the driver that points can be waived, and also a statement that a person can contact any secretary of state office to get information about eligibility for a waiver, as well as information about driver improvement instruction.

MCL 257.320a et al.

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.