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House Bill 4533 (as passed by the House)
Sponsor: Representative Bill Rogers
House Committee: Transportation
Senate Committee: Transportation

Date Completed: 5-23-11

CONTENT

The bill would amend the Michigan Vehicle Code to expand the exceptions to restrictions placed on a person with a level 2 graduated driver license regarding hours of operation and passengers under 21 years old.

(Michigan's graduated driver license program is described below, under **BACKGROUND**.)

Currently, a person issued a level 2 graduated licensing status must remain at that level for at least six months. The Code prohibits a level 2 driver from operating a motor vehicle between 10 p.m. and 5 a.m. unless either of the following applies:

- The driver is accompanied by a parent or legal guardian, or another licensed driver who is at least 21 designated by the parent or guardian.
- The person is going to or from employment.

The bill would create an exception for a driver operating a vehicle in the course of his or her employment, or going to or from school or a school-sanctioned event.

Under the Code, during the entire period of his or her level 2 status, a person may not operate a motor vehicle carrying more than one passenger who is younger than 21, unless the passengers under 21 are members of the person's immediate family or the person is traveling to or from school or a school-sanctioned event.

Under the bill, the one-person limit on passengers under 21 also would not apply under the following conditions:

- The driver was accompanied by a parent or legal guardian, or a licensed driver who was at least 21 designated by the parent or legal guardian.
- The driver was operating a vehicle in the course of his or her employment or while going to or from employment.

MCL 257.310e

BACKGROUND

Under the graduated driver license system, a person who is at least 14 years and nine months old may be issued a level 1 status if he or she meets certain conditions, including

successful completion of segment 1 of a driver education course that involves at least six hours of on-the-road driving time with the instructor. A level 1 driver may operate a motor vehicle only when accompanied by a licensed parent or legal guardian or, with the parent's or guardian's permission, another licensed driver who is at least 21. A person must operate under a level 1 status for at least six months.

A person may be issued a level 2 status if he or she has had a level 1 status for at least six months and successfully completed segment 2 of a driver education course. The person cannot have incurred a moving violation resulting in a conviction or civil infraction determination or have been involved in an accident for which the police report indicates a moving violation on his or her part within 90 days before application. In addition, the person must have accumulated at least 50 hours of behind-the-wheel experience, including at least 10 nighttime hours, while accompanied by a parent or legal guardian, or other licensed driver who is at least 21. Also, the person must successfully complete a driving skills test approved by the Secretary of State.

A person who is at least 17 years old may be issued a level 3 licensing status if he or she has completed 12 consecutive months without a moving violation; an accident in which a moving violation resulted; or an accident, suspension or restricted period violation for which the Code authorizes an extended provisional period while operating under a level 2 status.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.