

SENATE BILL No. 806

February 6, 2018, Introduced by Senators GREGORY, KNOLLENBERG, O'BRIEN, NOFS, HANSEN, BIEDA, HILDENBRAND and CONYERS and referred to the Committee on Transportation.

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending sections 35 and 37 (MCL 256.655 and 256.657), section 35 as amended by 2012 PA 258 and section 37 as amended by 2014 PA 317.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 35. (1) The secretary of state shall prescribe a model
2 curriculum for teen driver training under this act. After September
3 1, 2007, a driver education provider classified for teen driver
4 training shall use the secretary of state's prescribed model
5 curriculum or may use an alternative curriculum only after it has
6 been reviewed and approved by the secretary of state. The secretary
7 of state may approve an alternative curriculum if it substantially
8 meets or exceeds the standards of the secretary of state's

1 prescribed model curriculum.

2 (2) Under a segment 1 curriculum and segment 2 curriculum
3 combined, each student shall receive no less than 30 hours of
4 classroom instruction and 6 hours of behind-the-wheel driver
5 education course experience.

6 (3) IN ADDITION TO THE MODEL CURRICULUM DESCRIBED IN
7 SUBSECTION (1), THE SECRETARY OF STATE SHALL, IN COOPERATION WITH
8 THE DEPARTMENT OF STATE POLICE, ALSO DEVELOP A PROGRAM TO EDUCATE
9 STUDENTS CONCERNING THE APPROPRIATE ETIQUETTE FOR INTERACTION WITH
10 LAW ENFORCEMENT IN THE EVENT OF A TRAFFIC STOP AS DESCRIBED IN
11 SECTION 37(1)(A)(v). NO LATER THAN JANUARY 1, 2019, THE SECRETARY
12 OF STATE SHALL PRESENT THE PROGRAM REQUIRED BY THIS SUBSECTION TO
13 THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES
14 THAT ARE RESPONSIBLE FOR GENERAL GOVERNMENT. THE SECRETARY OF STATE
15 SHALL ALSO PROVIDE THE PROGRAM REQUIRED BY THIS SUBSECTION TO THE
16 DEPARTMENT OF EDUCATION.

17 Sec. 37. (1) A segment 1 curriculum shall include both
18 classroom and behind-the-wheel driver education course experience.
19 The classroom instruction and behind-the-wheel instruction shall be
20 integrated, relate to each other, and meet the following
21 requirements:

22 (a) Each student shall receive not less than 24 hours of
23 classroom instruction. Classroom instruction shall be scheduled to
24 occur as follows:

25 (i) Classroom instruction shall occur not more than 2 hours
26 per day.

27 (ii) Classroom instruction shall occur over the course of 3 or

1 more weeks.

2 (iii) Classroom instruction of 4 or more hours shall be
3 received before the student begins to receive behind-the-wheel
4 instruction.

5 (iv) Classroom instruction shall include information
6 concerning the laws pertaining to bicycles and motorcycles and
7 shall emphasize awareness of their operation on the streets, roads,
8 and highways of this state.

9 (v) CLASSROOM INSTRUCTION SHALL INCLUDE INFORMATION CONCERNING
10 THE APPROPRIATE ETIQUETTE FOR INTERACTION WITH LAW ENFORCEMENT IN
11 THE EVENT OF A TRAFFIC STOP, INCLUDING, BUT NOT LIMITED TO, ALL OF
12 THE FOLLOWING:

13 (A) WHERE TO PULL OVER IN THE EVENT OF A TRAFFIC STOP.

14 (B) WHAT TO EXPECT WHEN A LAW ENFORCEMENT OFFICER BEGINS A
15 TRAFFIC STOP.

16 (C) WHEN TO SAFELY HAND INFORMATION REQUESTED BY A LAW
17 ENFORCEMENT OFFICER TO THE OFFICER.

18 (D) WHERE A DRIVER SHOULD KEEP HIS OR HER HANDS DURING A
19 TRAFFIC STOP, AND WHERE TO REMAIN DURING A TRAFFIC STOP.

20 (E) HOW TO PROPERLY ILLUMINATE THE INTERIOR OF A VEHICLE
21 DURING A NIGHTTIME TRAFFIC STOP.

22 (F) WHEN TO INFORM A LAW ENFORCEMENT OFFICER THAT A WEAPON IS
23 INSIDE A VEHICLE.

24 (G) HOW TO CONTACT A LAW ENFORCEMENT OFFICER'S SUPERVISOR TO
25 SUBMIT A COMPLAINT.

26 (vi) ~~(v)~~ Behind-the-wheel instruction of 3 or more hours shall
27 be completed before classroom instruction terminates.

1 (b) Each student shall receive not less than 6 hours of
2 behind-the-wheel instruction or substitute hours permitted under
3 this subsection. Behind-the-wheel instruction shall be scheduled to
4 occur as follows:

5 (i) A student shall receive not more than 1 hour of behind-
6 the-wheel instruction per day.

7 (ii) Not more than 1 student shall occupy the front seat of
8 the vehicle with the instructor.

9 (iii) A driver education motor vehicle shall contain not more
10 than 4 students during behind-the-wheel instruction.

11 (iv) Not later than 3 weeks after the last classroom
12 instruction has been completed, a student shall complete any
13 remaining required behind-the-wheel instruction.

14 (v) Except as otherwise provided in this section, a student
15 may receive instruction while operating a motor vehicle at a
16 multiple vehicle driving facility. One hour of instruction received
17 at a multiple vehicle driving facility may substitute as credit for
18 1 hour of behind-the-wheel experience. A maximum of 2 hours of
19 behind-the-wheel experience can be substituted with instruction
20 received at a multiple vehicle driving facility.

21 (c) A student shall receive 4 or more hours of behind-the-
22 wheel observation time.

23 (2) A driver education provider classified for teen driver
24 training shall not substitute behind-the-wheel instruction with
25 multiple vehicle driving facility experience until the secretary of
26 state gives the provider written approval for that substitution as
27 provided in this act.

1 (3) A driver education provider classified for teen driver
2 training shall not substitute behind-the-wheel driving experience
3 with simulator device training.

4 (4) As used in this section:

5 (a) "Integrated" means classroom and behind-the-wheel
6 instruction scheduled to include a mix of classroom and behind-the-
7 wheel instruction throughout the duration of the driver education
8 course, except as otherwise provided in this section.

9 (b) "Observation time" means the time a student in a driver
10 education course sits in the rear seat of a vehicle and observes
11 another student in the front seat behind the wheel operating the
12 controls of the vehicle, responding to driving situations, and with
13 an instructor sitting in the front seat.

14 (5) This section shall be known and may be cited as the
15 "Nathan Bower act".

16 Enacting section 1. This amendatory act takes effect 90 days
17 after the date it is enacted into law.

18 Enacting section 2. This amendatory act does not take effect
19 unless Senate Bill No. 807

20 of the 99th Legislature is enacted into law.