

DRIVER EDUCATION PROVIDER AND INSTRUCTOR ACT (EXCERPT)
Act 384 of 2006

256.685 Investigation; complaint; mediation; conditions for probation and cancellation.

Sec. 65.

(1) The secretary of state may make, on its own initiative or in response to a complaint, a reasonable and necessary investigation within or outside this state and gather evidence against a person that violated, allegedly violated, or is about to violate this act, a rule promulgated under this act, or an order issued under this act, concerning whether a person, an applicant, a driver education provider, or a driver education instructor is in compliance with this act or a rule promulgated under this act.

(2) A person may file a complaint against a person, an applicant, a driver education provider, or a driver education instructor with the secretary of state. A complaint must be made in a format as prescribed by the secretary of state. The complaint must be based upon a violation or attempted violation of this act or a rule promulgated under this act and must contain all of the following information:

- (a) The complainant's name, address, and telephone number.
- (b) A complete statement describing the basis for the complaint.
- (c) A copy of any record, report, or document that is the basis for the complaint, including a copy of the student contract, driver education course certificate of completion issued, or other documents.
- (d) The complainant's signature and the date the complaint was signed.
- (e) Other information as prescribed by the secretary of state.

(3) The secretary of state may mediate a dispute between a driver education provider or driver education instructor and a student or the student's parent or legal guardian when a dispute arises from a violation or attempted violation of this act or a rule promulgated under this act.

(4) The secretary of state may develop conditions of probation for the operation of a driver education provider or the training conducted by a driver education instructor. Conditions must be set forth in a written agreement and signed by the driver education provider or driver education instructor and the secretary of state. Conditions of probation may be agreed to in place of further disciplinary proceedings.

(5) If an investigation by the secretary of state finds reason to believe that a written knowledge test or entry-level driver training was not administered in accordance with the standards prescribed in 49 CFR part 380, the secretary of state shall cancel the course completion reported by the provider and any license subsequently issued unless the student retakes and passes the test within 30 days.

History: 2006, Act 384, Eff. Oct. 1, 2006 ;-- Am. 2022, Act 192, Imd. Eff. Oct. 4, 2022