

# HOUSE BILL No. 4564

April 10, 1989, Introduced by Reps. Hart, Niederstadt, Pitoniak, Webb, Jonker, DeMars, Weeks and Allen and referred to the Committee on Transportation.

A bill to amend section 811 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 232 of the Public Acts of 1987, being section 257.811 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 811 of Act No. 300 of the Public Acts of  
2 1949, as amended by Act No. 232 of the Public Acts of 1987, being  
3 section 257.811 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 811. (1) ~~AN~~ EXCEPT AS OTHERWISE PROVIDED IN  
6 SUBSECTION (2), AN application for an operator's or chauffeur's  
7 license as provided in sections 307 and 312 and an application  
8 for a minor's restricted license as provided in section 312 shall  
9 be accompanied by the following fees:

1	Original license.....	\$ 12.00
2	Operator's license renewal.....	12.00
3	Original chauffeur's license (1-year).....	5.00
4	Original chauffeur's license (4-year).....	20.00
5	Chauffeur's license renewal.....	20.00

6	Minor's restricted license.....	5.00
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7       (2) AN APPLICATION FOR AN ORIGINAL CHAUFFEUR'S LICENSE AS  
8 PROVIDED IN SECTIONS 307 AND 312 SHALL BE ACCOMPANIED BY THE FOL-  
9 LOWING FEES, IF THE APPLICANT PAID THE \$12.00 ORIGINAL LICENSE OR  
10 OPERATOR'S LICENSE RENEWAL FEE REQUIRED UNDER SUBSECTION (1)  
11 WITHIN THE 2-MONTH PERIOD IMMEDIATELY PRECEDING THE APPLICATION  
12 DATE FOR THE CHAUFFEUR'S LICENSE:

13	ORIGINAL CHAUFFEUR'S LICENSE (1-YEAR).....	\$2.00
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14	ORIGINAL CHAUFFEUR'S LICENSE (4-YEAR).....	8.00
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15   (3) ~~(2)~~ The money received and collected under ~~subsection~~  
16 SUBSECTIONS (1) AND (2) shall be deposited by the secretary of  
17 state in the state treasury to the credit of the general fund.  
18 The secretary of state shall refund out of the fees collected to  
19 each county or municipality, acting as an examining officer or

1 examining bureau, \$2.50 for each applicant examined for an  
2 original license, \$1.00 for an original chauffeur's license, and  
3 \$1.00 for every other applicant examined, whose application is  
4 not denied, on the condition that the money refunded is paid to  
5 the county or local treasurer and is appropriated to the county,  
6 municipality, or officer or bureau receiving the money for the  
7 purpose of carrying out this act. The sum of \$4.00 shall be  
8 deposited by the state treasurer in a driver education fund for  
9 each person examined for an original license, a renewal  
10 operator's license, an original chauffeur's license, or a renewal  
11 chauffeur's license, except that the sum deposited for each  
12 2-year operator's or 2-year chauffeur's license shall be \$2.00.  
13 Money in the driver education fund shall be used by the depart-  
14 ment of education for administration of a driver education pro-  
15 gram ~~—~~ and for distribution to local school districts to be  
16 used for driver education programs.

17 (4) ~~-(3)-~~ From the money credited to the driver education  
18 fund, the legislature shall annually appropriate the sum of  
19 \$100,000.00 to the department of education for state administra-  
20 tion of the program. In addition there shall be distributed to  
21 local public school districts from the driver education fund the  
22 amount of \$45.00 per student, but not to exceed the actual cost,  
23 for each student completing an approved driver education course.  
24 The driver education courses shall be conducted by the local  
25 public school district, or may be conducted for the local school  
26 district by the intermediate district at the request of the local  
27 district, and enrollment in driver education courses shall be

1 open to children enrolled in the high school grades of public,  
2 parochial, and private schools as well as resident out-of-school  
3 youth. Reimbursement to local school districts shall be made on  
4 the basis of an application made by the local school district  
5 superintendent to the department of education.

6       (5) ~~-(4)-~~ As used in this section, "driver education  
7 courses" include classroom instruction, behind the wheel instruc-  
8 tion, and observation in an automobile under the supervision of a  
9 qualified teacher or licensed instructor. The department of edu-  
10 cation shall not require that licensed driver training school  
11 teachers or instructors be certificated under THE SCHOOL CODE OF  
12 1976, Act No. 451 of the Public Acts of 1976, as amended, being  
13 sections 380.1 to 380.1852 of the Michigan Compiled Laws.

14       (6) ~~-(5)-~~ The department of education may promulgate rules  
15 pursuant to THE ADMINISTRATIVE PROCEDURES ACT OF 1969, Act  
16 No. 306 of the Public Acts of 1969, as amended, being sections  
17 24.201 to 24.328 of the Michigan Compiled Laws, including  
18 instructional standards, teacher qualifications, reimbursement  
19 procedures, and other requirements to further implement this  
20 section.

21       (7) ~~-(6)-~~ Notwithstanding sections 301, 303, 306, and 308,  
22 an operator's license shall not be issued to a person under 18  
23 years of age unless that person successfully passes a driver edu-  
24 cation course and examination given by a public school, nonpublic  
25 school, or an equivalent course approved by the department of  
26 education given by a licensed driver training school. A person  
27 who has been a holder of a motor vehicle operator's license

1 issued by any other state, territory, or possession of the United  
2 States, or any other sovereignty for 1 year immediately before  
3 application for an operator's license under this act, shall not  
4 be required to comply with this subsection. Restricted licenses  
5 may be issued pursuant to section 312 without compliance with  
6 this subsection. A driver education course shall be made avail-  
7 able for a person under 18 years of age within a time that will  
8 enable that person to qualify for a license before the time that  
9 the person is permitted by law to have a license.

10 (8) ~~-(7)-~~ A charge or enrollment fee for a driver education  
11 course shall not be required to be paid by a student desiring to  
12 take the course as a duly enrolled student for the course in a  
13 school of the public school system.