

SENATE BILL NO. 1096

September 10, 2020, Introduced by Senator SCHMIDT and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 306 and 321c (MCL 257.306 and 257.321c), as
amended by 2020 PA 127.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 306. (1) The secretary of state, ~~upon~~**on** receiving an
2 application for a temporary instruction permit from ~~a person~~**an**
3 **individual** who is 18 years of age or older, may issue that permit
4 ~~entitling that~~ **entitles** the applicant, while carrying the permit,
5 to drive a motor vehicle other than a motor vehicle requiring an

1 indorsement under section 312a or a vehicle group designation under
2 section 312e on the highways for a period of 180 days when
3 accompanied by a licensed adult operator or chauffeur who is
4 actually occupying a seat beside the driver. A temporary
5 instruction permit issued under this subsection that expires on or
6 after March 1, 2020 is valid until September 30, 2020.

7 (2) The secretary of state may issue an original operator's
8 license and designate level 1, 2, or 3 graduated licensing
9 provisions to ~~a person~~ **an individual** who is less than 18 years of
10 age, has been licensed in another state or country, and has
11 satisfied the applicable requirements of section 310e. An original
12 operator's license with a designated level 1, 2, or 3 graduated
13 licensing provision issued under this subsection that expires on or
14 ~~before~~ **after** March 1, 2020 is valid until September 30, 2020.

15 (3) A student enrolled in a driver education course as **that**
16 **term is** defined in section 3 of the driver education provider and
17 instructor act, 2006 PA 384, MCL 256.623, or a motorcycle safety
18 course approved by the department of state may operate a motor
19 vehicle that does not require a group designation under section
20 312e without holding an operator's license or permit while under
21 the direct supervision of the program instructor.

22 (4) A student enrolled in a driver education course as **that**
23 **term is** defined in section 3 of the driver education provider and
24 instructor act, 2006 PA 384, MCL 256.623, and who has successfully
25 completed 10 hours of classroom instruction and the equivalent of 2
26 hours of behind-the-wheel training may be issued a temporary driver
27 education certificate furnished by the department of state that
28 authorizes a student to drive a motor vehicle, other than a motor
29 vehicle ~~requiring~~ **that requires** an indorsement under section 312a

1 or a vehicle group designation under section 312e, when accompanied
2 by a licensed parent or guardian, or when accompanied by a
3 nonlicensed parent or guardian and a licensed adult for the purpose
4 of receiving additional instruction until the end of the student's
5 driver education course. A temporary driver education certificate
6 issued under this subsection that expires on or after March 1, 2020
7 is valid until September 30, 2020.

8 (5) Beginning January 1, 2015, the secretary of state, ~~upon-on~~
9 receiving proper application from ~~a person~~ **an individual** 16 or 17
10 years of age who is enrolled in or has successfully completed an
11 approved motorcycle safety course under section 811a, or ~~a person~~
12 **an individual** who is 18 years of age or older and who holds a valid
13 operator's or chauffeur's license, may issue a motorcycle temporary
14 instruction permit ~~entitling that~~ **entitles** the applicant, while
15 carrying the permit, to operate a motorcycle ~~upon-on~~ the public
16 streets and highways for a period of 180 days under the following
17 conditions:

18 (a) The applicant shall operate the motorcycle under the
19 constant visual supervision of a licensed motorcycle operator who
20 is at least 18 years of age.

21 (b) The applicant shall not operate the motorcycle at night.

22 (c) The applicant shall not operate the motorcycle with a
23 passenger.

24 (d) The applicant shall not be eligible for more than 2
25 motorcycle temporary instruction permits in a 10-year period.

26 (6) A motorcycle temporary instruction permit issued under
27 subsection (5) that expires on or after March 1, 2020 is valid
28 until September 30, 2020.

29 Sec. 321c. (1) If a friend of the court notifies the secretary

1 of state that a licensee has failed to appear for a hearing, comply
2 with a repayment plan order, or respond to a license suspension
3 notice under the support and parenting time enforcement act, 1982
4 PA 295, MCL 552.601 to 552.650, the secretary of state shall
5 immediately suspend the operator's or chauffeur's license of the
6 licensee and shall notify the licensee of the suspension by first-
7 class mail.

8 (2) If ~~a person's~~ **an individual's** license is suspended under
9 subsection (1), the secretary of state shall not issue a license to
10 the ~~person-individual~~ if the ~~person's-individual's~~ license is
11 already suspended, revoked, or denied or if the ~~person-individual~~
12 does not have a license to suspend until the ~~person is in~~
13 ~~compliance-individual complies~~ with subsection (3) and other
14 provisions of this act.

15 (3) A suspension imposed under subsection (1) or (2) remains
16 in effect until all of the following occur:

17 (a) The ~~person-individual~~ obtains a certificate from the
18 friend of the court showing that the ~~person-individual~~ is complying
19 with the custody, parenting time, or support order, and provides
20 that certificate to the secretary of state. **Beginning on October 1,**
21 **2020, the certificate obtained from the friend of the court under**
22 **this subdivision must be provided to the secretary of state within**
23 **10 days after the date of issuance noted on the certificate.**

24 (b) The ~~person-individual~~ pays to the circuit court clerk a
25 \$45.00 driver license clearance fee.

26 (c) The ~~person-individual~~ pays the reinstatement fee imposed
27 under section 320e.

28 (4) Unless ~~a person's~~ **an individual's** license is otherwise
29 suspended, revoked, denied, or canceled, the license is immediately

1 reinstated on satisfaction of the requirements of subsection (3).
2 The secretary of state shall reissue the operator's or chauffeur's
3 license of ~~a person~~ **an individual** whose suspension is rescinded
4 under subsection (3) within 30 days after receipt of the
5 certificate obtained under subsection (3)(a), evidence of the
6 payment of the fee under subsection (3)(b), and the fee imposed
7 under section 320e.

8 **(5) Beginning on October 1, 2020, if an individual provides a**
9 **copy of a certificate obtained under subsection (3) to the**
10 **secretary of state more than 10 days after the date of issuance**
11 **noted on the certificate, the certificate is no longer valid, and**
12 **the secretary of state shall not reinstate the individual's**
13 **license. An individual who fails to provide a copy of the**
14 **certificate to the secretary of state within 10 days after the date**
15 **of issuance shall obtain another certificate from the friend of the**
16 **court and satisfy the requirements of subsection (3) before the**
17 **secretary of state reinstates that individual's license.**

18 **(6) ~~(5)~~**For each fee received under subsection (3)(b), the
19 clerk shall transmit the following amounts on a monthly basis:

20 (a) Fifteen dollars to the secretary of state. The secretary
21 of state shall deposit money received under this subdivision in the
22 general fund. The money must be expended to defray the expenses of
23 the secretary of state in processing the suspension and
24 reinstatement of driver licenses under this section.

25 (b) Thirty dollars to the treasurer of the county. The
26 treasurer shall deposit money received under this subdivision in
27 the county friend of the court fund created in section 2530 of the
28 revised judicature act of 1961, 1961 PA 236, MCL 600.2530.