Senate Bills 192 and 193 (as introduced 3-12-19)
Sponsor: Senator Roger Victory
Committee: Transportation and Infrastructure

Date Completed: 4-16-19

CONTENT

Senate Bill 192 would amend the Michigan Vehicle Code to specify that the nighttime hours requirement for the issuance of a level 2 graduated license would not apply to a person who had been issued a graduated driver license that permitted daylight driving only.

Senate Bill 193 would amend the Driver Education Provider and Instructor Act to specify that the nighttime hours requirement for a student's admission into a Segment 2 curriculum course would not apply to a person who had been issued a graduated driver license that permitted daylight driving only.

Senate Bill 193 is tie-barred to Senate Bill 192. Senate Bill 192 would be known as the "Jack Robert Carrier law".

Senate Bill 192

Under the Code, an operator's license issued to a person under 17 years of age must be a graduated driver license. A person may be issued a level 2 graduated licensing status to operate a motor vehicle if the person has satisfied all of the following conditions:

-- Had a level 1 graduated licensing status for at least six months.
-- Successfully completed Segment 2 of a driver education course.
-- Not incurred a moving violation resulting in a conviction or civil infraction determination or been involved in an accident for which the official police report indicates a moving violation on the part of the person during the 90-day period immediately preceding application.
-- Successfully completed a Secretary of State-approved driving skills test.

The person also must present a certification by the parent or guardian that he or she, accompanied by his or her licensed parent or legal guardian or, with the permission of the parent or legal guardian, any licensed driver 21 years of age or older, has accumulated a total of at least 50 hours of behind-the-wheel experience including not less than 10 nighttime hours. Under the bill, the nighttime hours requirement would not apply to a person who had been issued a graduated driver license that permitted daylight driving only as provided in R 257.3 of the Michigan Administrative Code.

(Rule 257.3 specifies that a restricted driver's license permitting daylight driving may be issued only if an applicant or licensee submits a statement from an ophthalmologist or optometrist stating one of the following: 1) the applicant has visual acuity less than 20/50 to

and including 20/70 with no recognizable progressive abnormalities affecting vision; 2) he or she has visual acuity less than 20/50 to and including 20/60 with recognizable abnormalities affecting vision.)

Senate Bill 193

Under the Act, a Segment 2 curriculum course must contain six or more hours of classroom instruction, and must provide instruction explaining the right to make an anatomical gift in the event of death. Also, the course must only be offered to a student who has done all of the following:

 -- Successfully completed a Segment 1 curriculum driver education course.
 -- Held a valid level 1 graduated driver license for at least three continuous months.

The student also must have acquired 30 or more hours driving experience on a level 1 graduated driver license that includes at least two hours of night driving with a licensed parent or legal guardian, or with the permission of a parent or legal guardian, with any licensed driver who is 21 years of age or older. Under the bill, the nighttime hours requirement would not apply to a person who had been issued a graduated driver's license that permitted daylight driving only as provided in R 257.3 of the Michigan Administrative Code.

MCL 257.310e (S.B. 192)   Legislative Analyst: Tyler VanHuyse
    256.659 (S.B. 193)

FISCAL IMPACT

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

Fiscal Analyst: Joe Carrasco