

## PASSENGER RESTRICTIONS FOR FIRST YEAR DRIVERS

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### House Bill 4756

Sponsor: Rep. Edward Gaffney, Jr.

Committee: Transportation

Complete to 10-31-05

### A SUMMARY OF HOUSE BILL 4756 AS INTRODUCED 5-10-05

House Bill 4756 would amend the Michigan Vehicle Code (MCL 257.310e) to prohibit a first-year driver ("a person issued a level 2 graduated licensing status") from having more than one passenger, other than immediate family members, in the car.

Michigan has a three-tier driver licensing process that requires novice drivers to gain experience before earning full licensure. The graduated licensing process, designed to increase traffic safety, generally takes two years, and first-time drivers often begin their instruction at age 15.

Currently under the law, a level 1 licensee can operate a motor vehicle if he or she has a) passed a vision test and met health standards; b) passed a driver education course, including six hours of on-the-road driving; and c) received written approval of a parent or legal guardian. A person issued a level 1 license can operate a vehicle only when accompanied by a licensed parent (or legal guardian) or, with the parent's permission, when accompanied by a licensed driver 21 years of age or older. A level 1 driver must hold that license for at least six months.

A driver can move to level 2 after a) graduating from level 1; b) successfully completing more driver education classes; c) driving without a moving violation and driving accident-free; d) accumulating at least 50 hours behind-the-wheel (including at least 10 night-time hours) while accompanied by a parent, legal guardian, or person over 21 years old approved by the parent; and e) passing a driving skills test approved by the Secretary of State. A level 2 driver must hold that license for at least six months, and cannot drive between midnight and 5 a.m. unless permitted to do so by his or her parents. If the driver has moving violations during that time, the level 2 status is extended (up to age 18) until the driver has a 90-day accident free driving record.

Finally, a person who is at least 17 years of age can be issued a level 3 license if he or she drives 12 consecutive months without a moving violation or accident.

House Bill 4756 would retain all of these provisions, and also prohibit a person issued a level 2 graduated license from transporting more than one passenger other than immediate family members. The bill also specifies that before a driver can take the level 2 test, he or she must be at least 16 years old, and have fulfilled all other prerequisite level 2 requirements.

**FISCAL IMPACT:**

The bill would result in additional revenue from fines paid by those found to have violated the law. The exact amount of additional revenue is indeterminate at this time and will be based on the number of violations.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.