

# Legislative Analysis



## EXEMPT HOME SCHOOLED STUDENTS FROM DRIVER EDUCATION COURSE

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<http://www.house.mi.gov/hfa>

**House Bill 6320 as introduced**  
**Sponsor: Rep. Triston Cole**  
**Committee: Government Operations**  
**Complete to 11-30-20**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 6320 would amend the Michigan Vehicle Code to exempt *home schooled students* from having to meet certain driver education requirements before being issued a driver's license under the act.

*Home schooled student* would mean a child being educated at home by the child's parent or legal guardian under section 1561(4) of the Revised School Code.<sup>1</sup>

#### Level 1 graduated license

Currently, a person who is at least 14 years and 9 months old can be issued a level 1 graduated license if he or she meets all of the following:

- Receives written approval of a parent or legal guardian.
- Passes a vision test and meets health standards prescribed by the secretary of state.
- Successfully completes segment 1 of a driver education course as defined in the Driver Education Provider and Instructor Act,<sup>2</sup> including at least six hours of on-the road driving time with the instructor.

The bill would exempt a home schooled student from having to meet the requirements in the last bulleted item above. The other requirements would still apply.

#### Level 2 graduated license

Currently, a person who is at least 16 years old can be issued a level 2 graduated license if he or she meets all of the following:

- Has had a level 1 graduated license for at least six months.
- During the 90 days before applying for the license, has not incurred a moving violation resulting in a conviction or civil infraction determination and has not been involved in an accident for which the police report indicates a moving violation on his or her part.
- Presents a certification by his or her parent or guardian that the person, accompanied as required by an adult driver, has accumulated at least 50 hours of behind-the-wheel experience, including at least 10 nighttime hours (unless he or she is exempt from nighttime driving).
- Successfully completes a driving skills test approved by the secretary of state.

<sup>1</sup> <https://www.legislature.mi.gov/documents/mcl/pdf/mcl-380-1561.pdf>

<sup>2</sup> <http://legislature.mi.gov/doc.aspx?mcl-Act-384-of-2006>

- Successfully completes segment 2 of a driver education course as defined in the Driver Education Provider and Instructor Act.

The bill would exempt a home schooled student from having to meet the requirements in the last bulleted item above. The other requirements would still apply.

MCL 257.310e

The bill is tie-barred to HB 5845, which means it cannot take effect unless HB 5845 is also enacted. HB 5845 addresses online driver training instruction.<sup>3</sup>

**FISCAL IMPACT:**

The bill would have no fiscal impact on the state or local units of government.

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

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<sup>3</sup> <http://legislature.mi.gov/doc.aspx?2020-HB-5845>