

**DRIVER EDUCATION AND TRAINING SCHOOLS ACT (EXCERPT)**  
**Act 369 of 1974**

\*\*\*\*\* 256.605b *THIS SECTION IS REPEALED BY ACT 70 OF 2004 EFFECTIVE OCTOBER 1, 2006*  
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**256.605b Driver education instructor; criminal history check.**

Sec. 5b. (1) Except as otherwise provided in section 5 or this subsection, a driver training school licensee shall not employ a person as an instructor or, after June 1, 1998, continue to employ a person as a driving instructor before requesting and receiving not less than once every 5 years from the department of state police and the federal bureau of investigation a criminal history check on the person. A person who is currently employed as a driver education instructor with a public school in this state shall not be required to submit to a criminal history check under this section.

(2) A driver training school licensee shall make a request with payment of the appropriate fee to the criminal records division of the department of state police for a criminal history check required under this section on a form and in a manner prescribed by the criminal records division of the department of state police.

(3) Within 45 days after receiving a proper request by a driver training school licensee for a criminal history check on a person under this section, the criminal records division of the department of state police shall conduct the criminal history check and, after conducting the criminal history check and within that time period, provide a report of the results of the criminal history check to the driver training school licensee and the department. The report shall contain any criminal history record information on the person maintained by the criminal records division of the department of state police.

(4) Criminal history record information received from the criminal records division of the department of state police under subsection (3) shall be used by a driver training school licensee only for the purpose of evaluating a person's qualifications for employment as a driver training instructor. A driver training school licensee or the department shall only disclose the report or its contents to a person who is directly involved in evaluating the applicant's qualifications for employment, and shall only disclose to that person those crimes described in section 5(5)(e). A person who violates this subsection is guilty of a misdemeanor punishable by a fine of not more than \$10,000.00.

(5) As used in this section, "criminal history record information" means that term as defined in section 1a of 1925 PA 289, MCL 28.241a.

**History:** Add. 1998, Act 11, Eff. June 1, 1998;—Am. 2000, Act 285, Imd. Eff. July 10, 2000.