

# Legislative Analysis



## NIGHTTIME DRIVING REQUIREMENT FOR LEVEL 2 GRADUATED LICENSE

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

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

**Senate Bill 192 (S-2) as reported from committee**  
**Senate Bill 193 as reported from committee**  
**Sponsor: Sen. Roger Victory**  
**1st House Committee: Transportation**  
**2nd House Committee: Ways and Means**  
**Senate Committee: Transportation and Infrastructure**  
**Complete to 6-11-19**

*(Enacted as Public Acts 33 and 34 of 2019)*

### SUMMARY:

**Senate Bill 192** would amend the Michigan Vehicle Code to specify that the nighttime driving 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 allows only daylight driving as provided in R 257.3 of the Michigan Administrative Code (see **Background**, below).

MCL 257.310e

**Senate Bill 193** would amend the Driver Education Provider and Instructor Act to specify that the nighttime driving hours requirement for a student's admission into a Segment 2 curriculum driver education course would not apply to a person who had been issued a graduated driver license that allows only daylight driving as provided in R 257.3 of the Michigan Administrative Code (see **Background**, below).

Senate Bill 193 is tie-barred to SB 192, meaning that it could not take effect unless SB 192 were also enacted.

MCL 256.659

### BACKGROUND:

R 257.3 of the Michigan Administrative Code<sup>1</sup> specifies that a restricted driver's license permitting daylight driving only may be issued if an applicant or licensee submits a statement from an ophthalmologist or optometrist stating either of the following:

- The applicant has visual acuity less than 20/50 to and including 20/70 with no recognizable progressive abnormalities affecting vision.
- The applicant has visual acuity less than 20/50 to and including 20/60 with recognizable abnormalities affecting vision.

<sup>1</sup> See [https://dtmb.state.mi.us/ORRDocs/AdminCode/106\\_10101\\_AdminCode.pdf](https://dtmb.state.mi.us/ORRDocs/AdminCode/106_10101_AdminCode.pdf)

Michigan's graduated licensing system has three licensing levels. To be issued a Level 2 license, a driver must be at least 16 years old and have completed the Segment 2 driver education curriculum, among other requirements.<sup>2</sup> The Segment 2 driver education curriculum currently requires completion of a total of ten hours of night driving.

**FISCAL IMPACT:**

The bills would have no fiscal impact on state or local 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>2</sup> See [https://www.michigan.gov/documents/Michigans\\_Graduated\\_Licensing\\_System\\_153498\\_7.pdf](https://www.michigan.gov/documents/Michigans_Graduated_Licensing_System_153498_7.pdf)