

# HOUSE BILL No. 5126

September 12, 1991, Introduced by Reps. Profit, Hertel and DeMars and referred to the Committee on Transportation.

A bill to amend sections 6 and 7 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," section 6 as amended by Act No. 188 of the Public Acts of 1990, being sections 257.6 and 257.7 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 6 and 7 of Act No. 300 of the Public  
2 Acts of 1949, section 6 as amended by Act No. 188 of the Public  
3 Acts of 1990, being sections 257.6 and 257.7 of the Michigan  
4 Compiled Laws, are amended to read as follows:

5 Sec. 6. (1) ~~"Chauffeur" means every person who is employed~~  
6 ~~for the principal purpose of operating a motor vehicle and every~~  
7 EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2), "CHAUFFEUR" MEANS  
8 ANY OF THE FOLLOWING:

1 (A) A person who ~~drives~~ OPERATES a motor vehicle ~~while in~~  
2 ~~use~~ as a public or common carrier of persons or property.

3 (B) A person ~~shall be deemed to be employed for the princi-~~  
4 ~~pal purpose of operating a motor vehicle when the person's~~ WHOSE  
5 employment customarily involves the necessary use of a motor  
6 vehicle for hire or FOR transporting passengers for hire, or FOR  
7 transporting for gain or hire any merchandise for display, sale,  
8 or delivery. ~~However, a~~

9 (2) "CHAUFFEUR" DOES NOT INCLUDE ANY OF THE FOLLOWING:

10 (A) A farmer or an employee of a farmer operating a vehicle  
11 exclusively in connection with the farming operations of the  
12 farmer. ~~, or a~~

13 (B) A fire fighter or a member of ~~any~~ A fire department  
14 operating an ambulance. ~~, or an emergency~~

15 (C) EMERGENCY medical ~~technician, as defined by section~~  
16 ~~20304 of Act No. 368 of the Public Acts of 1978, being section~~  
17 ~~333.20304 of the Michigan Compiled Laws,~~ SERVICES PERSONNEL  
18 operating an ambulance. ~~, or a~~ AS USED IN THIS SUBDIVISION,  
19 "EMERGENCY MEDICAL SERVICES PERSONNEL" MEANS THAT TERM AS DEFINED  
20 IN SECTION 20904 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE  
21 PUBLIC ACTS OF 1978, BEING SECTION 333.20904 OF THE MICHIGAN  
22 COMPILED LAWS.

23 (D) A person operating a motor vehicle for a volunteer pro-  
24 gram who only receives reimbursement for the costs of operating  
25 the motor vehicle. ~~, shall not be deemed a chauffeur.~~

1 (E) A PERSON OPERATING A MOTOR VEHICLE TO DELIVER PREPARED  
2 FOOD FREE OF CHARGE TO A CUSTOMER, IF OPERATING A MOTOR VEHICLE  
3 FOR THAT PURPOSE IS NOT THAT PERSON'S EXCLUSIVE DUTY.

4 Sec. 7. (1) ~~"Commercial vehicle"~~ EXCEPT AS PROVIDED IN  
5 SUBSECTION (2), "COMMERCIAL VEHICLE" includes all ~~motor~~ OF THE  
6 FOLLOWING:

7 (A) MOTOR vehicles used for ~~the transportation of~~  
8 TRANSPORTING passengers for hire. ~~, or~~

9 (B) MOTOR VEHICLES constructed or used for ~~transportation~~  
10 ~~of~~ TRANSPORTING goods, wares, or merchandise. ~~, and/or all~~  
11 ~~motor~~

12 (C) MOTOR vehicles designed and used for drawing other  
13 vehicles, ~~and~~ BUT WHICH ARE not ~~so~~ constructed ~~as~~ to carry  
14 ~~any~~ A load ~~thereon either~~ independently or ~~any~~ AS A part of  
15 the weight of a vehicle or load ~~so~~ drawn BY THAT MOTOR  
16 VEHICLE.

17 (2) "COMMERCIAL VEHICLE" DOES NOT INCLUDE A MOTOR VEHICLE  
18 USED BY A PERSON TO DELIVER PREPARED FOOD FREE OF CHARGE TO  
19 CUSTOMERS.