



HOUSE BILL No. 5476

April 19 1994 Introduced by Reps Bullard London Galloway Harder and Pitoniak
and referred to the Committee on Transportation

A bill to amend section 11 of article V of Act No 254 of
the Public Acts of 1933, entitled as amended

The motor carrier act,
as amended by Act No 399 of the Public Acts of 1982, being
section 479 11 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 11 of article V of Act No 254 of the
2 Public Acts of 1933 as amended by Act No 399 of the Public Acts
3 of 1982, being section 479 11 of the Michigan Compiled Laws is
4 amended to read as follows

5 ARTICLE V

6 Sec 11 (1) The commission may examine all records, books,
7 accounts, and files of each motor carrier to whom a certificate
8 or permit has been issued under this act, having to do with the
9 business of transportation conducted by the carrier The

1 records books accounts and files or other data or information,
2 by order of the commission shall be produced at any hearing or
3 proceeding before the commission for use at the hearing or
4 proceeding The records, books, accounts, and files shall be
5 preserved at least 3 years, EXCEPT THAT DELIVERY RECEIPTS AND
6 RECORDS AND BILLS OF LADING SHALL BE PRESERVED AT LEAST 1 YEAR
7 The commission may compel the attendance and testimony of wit-
8 nesses and do all things necessary to carry out and enforce all
9 the provisions of this act

10 (2) A member of the commission, clerk officer or employee
11 of the state shall not divulge or make known, in any manner what-
12 soever not provided by law, to any person the operations style
13 of work or any other information regarding the operations of
14 carriers visited or inspected by him or her in the discharge of
15 his or her official duties or to permit any report books, docu-
16 ments, accounts files, or other data examined or inspected by
17 him or her to be seen or examined by any person except as pro-
18 vided by law The information as may be obtained under this sec-
19 tion shall be and remain inviolate except for the purposes of
20 carrying out the provisions of this act it being the express
21 legislative intent to permit the use of the information by the
22 commission, but to prevent its publication in any manner, except
23 when lawfully presented in open hearings either before the com-
24 mission or some member of the commission or before a court of
25 law Nothing in this section shall be construed to apply to the
26 public files of the commission pertaining to the application for
27 and the certificate or permit of any motor carrier ~~nor~~ OR to

1 quarterly or other reports, which files and reports shall during
2 office hours be open to inspection by any motor carrier, shipper,
3 or consignee

4 (3) A person ~~violating~~ WHO VIOLATES this section is guilty
5 of a misdemeanor