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LIABILITY: FORKLIFTS, ETC.

House Bill 4572
Sponsor: Rep. Kim Rhead
Committee: Insurance

Complete to 5-5-95

A SUMMARY OF HOUSE BILL 4572 AS INTRODUCED 3-14-95

The bill would amend the Michigan Vehicle Code to exclude industrial equipment, such as a forklift, a front-end loader, or other construction equipment that is not subject to registration under the code, from the definition of "motor vehicle" for the purposes of Chapter 4 of the code, which deals with owner's liability.

(A key provision of that chapter, contained in Section 401, reads as follows:

The owner of a motor vehicle shall be liable for any injury occasioned by the negligent operation of the motor vehicle whether the negligence consists of the violations of the provisions of the statutes of the state or in the failure to observe such ordinary care in the operation of the motor vehicle as the rules of the common law requires. The owner shall not be liable, however, unless the motor vehicle is being driven with his or her express or implied consent or knowledge. It shall be presumed that the motor vehicle is being driven with the knowledge and consent of the owner if it is driven at the time of the injury by his or her father, mother, brother, sister, son, daughter, or other immediate member of the family.)

House Bill 4572 (5-5-95)