



HOUSE BILL No. 5054

September 19, 1995, Introduced by Reps. Rhead, Hill, Llewellyn, Green and Horton and referred to the Committee on Transportation.

A bill to amend section 3 of Act No. 181 of the Public Acts of 1963, entitled as amended "Motor carrier safety act of 1963," as added by Act No. 339 of the Public Acts of 1990, being section 480.13 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 181 of the Public Acts of
2 1963, as added by Act No. 339 of the Public Acts of 1990, being
3 section 480.13 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) Except as otherwise provided in this act, this
6 act is applicable to all employers, employees, and commercial
7 motor vehicles that transport property or passengers.

8 (2) The rules in 49 C.F.R. 387, entitled minimum levels of
9 financial responsibility for motor carriers, are applicable to

1 motor carriers as provided in 49 C.F.R. 387.3 or 49
2 C.F.R. 387.27.

3 (3) Nothing in this act shall be construed to prohibit an
4 employer from requiring and enforcing more stringent requirements
5 relating to safety of operation and employee safety and health.

6 (4) Every motor carrier shall be knowledgeable of and comply
7 with this act and the rules promulgated pursuant to this act that
8 are applicable to that motor carrier's operations. Every driver
9 and employee shall be instructed regarding, and shall comply
10 with, all applicable provisions of this act and the rules promul-
11 gated pursuant to this act. This act shall not be construed to
12 prohibit the use of additional equipment and accessories if such
13 additional equipment or accessories are in proper working condi-
14 tion, are not inconsistent with or prohibited by this act or the
15 rules promulgated pursuant to this act, and do not decrease the
16 safety of operation of the vehicles on which they are used. All
17 motor vehicle equipment and accessories required by this act and
18 federal law or regulation shall be maintained in compliance with
19 all applicable performance and design criteria set forth in this
20 act and the rules promulgated pursuant to this act.

21 (5) Unless otherwise specifically provided, this act and the
22 rules promulgated under this act do not apply to:

23 (a) The occasional transportation of personal property by
24 individuals not for compensation nor in the furtherance of a com-
25 mercial enterprise.

26 (b) The transportation of human corpses or sick and injured
27 persons.

1 (c) The operation of an authorized emergency vehicle by a
2 fire fighter who has met the driver training standards of the
3 Michigan firefighter's training council.

4 (d) A semitrailer or truck used exclusively for storage
5 purposes.

6 (E) A SELF-PROPELLED IMPLEMENT OF HUSBANDRY OR A DRAWN
7 IMPLEMENT OF HUSBANDRY IF:

8 (i) THE IMPLEMENT OF HUSBANDRY IS AS DEFINED BY SECTION 21
9 OF THE MICHIGAN VEHICLE CODE, ACT NO. 300 OF THE PUBLIC ACTS OF
10 1949, BEING SECTION 257.21 OF THE MICHIGAN COMPILED LAWS.

11 (ii) THE MOTOR VEHICLE HAULING THE IMPLEMENT OF HUSBANDRY
12 DOES NOT EXCEED A MAXIMUM SPEED OF 25 MILES PER HOUR IF THE DRAWN
13 OR SELF-PROPELLED IMPLEMENT OF HUSBANDRY BEING DRAWN IS NOT
14 EQUIPPED WITH BRAKES OR COUPLING DEVICES, OR BOTH, THAT MEET THE
15 STANDARDS SET FORTH IN 49 C.F.R. 393.40 ADOPTED BY THIS ACT.

16 (iii) IT DOES NOT EXCEED ANY OTHER IMPLEMENT OR COMPONENT
17 DESIGN MAXIMUM SPEED LIMITATION.