



HOUSE BILL No. 4932

September 30, 1999, Introduced by Reps. Kilpatrick, Rick Johnson, Kelly, Allen, Jelinek, Julian, Garcia, Kukuk, Garza and Bovin and referred to the Committee on Transportation.

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 7 and 7c (MCL 480.17 and 480.17c), section 7 as amended and section 7c as added by 1995 PA 265.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) Except as provided in sections 7b, 7c, and 7d,
2 any PERSON, driver, or operator who violates this act or a rule
3 promulgated under this act, or ~~any~~ AN owner or user of ~~any~~ A
4 bus, truck, truck tractor, or trailer, or certain other motor
5 vehicles or ~~any~~ AN officer or agent of ~~any~~ AN individual,
6 partnership, corporation, or association or their lessees or
7 receivers appointed by ~~any~~ A court ~~which~~ THAT is the owner or
8 user of ~~any~~ A vehicle, who requires or permits the driver or
9 operator to operate or drive ~~any~~ A bus, truck, truck tractor,
10 or trailer, or certain other motor vehicles in violation of this

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1 act or a rule promulgated under this act, is guilty of a
2 misdemeanor PUNISHABLE BY A FINE OF NOT MORE THAN \$250.00 for
3 each violation. ~~punishable by imprisonment for not more than 90~~
4 ~~days or a fine of not more than \$100.00, or both.~~

5 (2) A peace officer or an officer of the motor carrier divi-
6 sion of the department of state police, upon reasonable cause to
7 believe that a motor vehicle is being operated in violation of
8 this act or a rule promulgated ~~pursuant to~~ UNDER this act, may
9 stop the motor vehicle and inspect the motor vehicle. If a vio-
10 lation is found, the officer may issue a notice to appear for
11 that violation. If a motor vehicle is inspected by breaking the
12 load seal, then the peace officer shall give to the driver a
13 signed receipt of inspection and the peace officer shall be
14 responsible for reapplying a Michigan department of transporta-
15 tion seal.

16 Sec. 7c. (1) A driver or operator or an owner or user of
17 ~~any~~ A bus, truck, truck tractor, or trailer, or certain other
18 motor vehicles, or ~~any~~ AN officer or agent of an individual,
19 partnership, corporation, or association, or their lessees or
20 receiver appointed by ~~any~~ A court that is the owner or user of
21 ~~any~~ A vehicle, who requires or permits the driver or operator
22 to operate or drive ~~any~~ A bus, truck, truck tractor, or trail-
23 er, or certain other motor vehicles, that violates this act or a
24 rule promulgated under this act if the vehicle is transporting a
25 package required to be marked or labeled under 49 C.F.R. parts
26 100 to 180, upon conviction, is punishable by a fine of not more

1 than \$500.00 for each violation. ~~, or by imprisonment for not~~
 2 ~~more than 90 days, or both.~~

3 (2) ~~Any~~ AN officer, employee, owner, or agent of an indi-
 4 vidual, partnership, corporation, or association, or their les-
 5 sees or receiver appointed by ~~any~~ A court that is the owner or
 6 user of any hazardous materials vehicle inspection or repair
 7 facility that violates a section of this act, or a rule promul-
 8 gated under this act, related to the transportation of hazardous
 9 materials, is guilty of a misdemeanor punishable as prescribed in
 10 this section.

11 Enacting section 1. This amendatory act does not take
 12 effect unless all of the following bills of the 90th Legislature
 13 are enacted into law:

14 (a) Senate Bill No. _____ or House Bill No. 4928 (request
 15 no. 03652'99*).

16 (b) Senate Bill No. _____ or House Bill No. 4929 (request
 17 no. 03653'99*).

18 (c) Senate Bill No. _____ or House Bill No. 4931 (request
 19 no. 04221'99*).

20 (d) Senate Bill No. _____ or House Bill No. 4930 (request
 21 no. 04528'99*).

22 (e) Senate Bill No. _____ or House Bill No. 4927 (request
 23 no. 04529'99*).