



HOUSE BILL No. 5172

December 7, 1999, Introduced by Reps. Voorhees, Gosselin, Faunce, Kukuk, Pappageorge, Tabor, Garcia, Richner and Caul and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 312e (MCL 257.312e), as amended by 1991 PA
100.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 312e. (1) Except as provided in subsections (4), (5),
2 (6), (7), and (8), a person, before operating a vehicle towing a
3 vehicle having a gross vehicle weight rating over 10,000 pounds,
4 shall procure a group A vehicle designation on his or her
5 operator's or chauffeur's license. Unless an indorsement is
6 required, a person licensed to operate a group A vehicle may
7 operate a group B or C vehicle without taking another test. A
8 person, before operating a single vehicle having a gross vehicle
9 weight rating of 26,001 pounds or more, or any combination of
10 vehicles having a gross combination weight rating of 26,001

1 pounds or more if the vehicle being towed does not have a gross
2 vehicle weight rating over 10,000 pounds, shall procure a group B
3 vehicle designation on his or her operator's or chauffeur's
4 license. Unless an indorsement is required, a person licensed to
5 operate a group B vehicle may operate a group C vehicle without
6 taking another test. A person, before operating a school trans-
7 portation vehicle or a single vehicle having a gross vehicle
8 weight rating under 26,001 pounds or a combination of vehicles
9 having a gross combination weight rating under 26,001 pounds if
10 the vehicle being towed does not have a gross vehicle weight
11 rating over 10,000 pounds and carrying hazardous materials on
12 which a placard is required under 49 C.F.R. parts 100 to 199, or
13 designed to transport 16 or more passengers including the driver,
14 shall procure a group C vehicle designation and a hazardous mate-
15 rial or passenger vehicle indorsement on his or her operator's or
16 chauffeur's license. An applicant for a vehicle group designa-
17 tion shall take knowledge and driving skills tests that comply
18 with minimum federal standards prescribed in 49 C.F.R. part 383
19 as required under this act. The license shall be issued, sus-
20 pended, revoked, canceled, or renewed in accordance with this
21 act. Except as provided in this subsection, all of the following
22 apply:

23 (a) A person who takes the driving test required under
24 section 312f for a group A vehicle designation in a combination
25 of vehicles having a gross combination weight rating under 26,001
26 pounds shall not operate a single vehicle having a gross vehicle
27 weight rating of 26,001 pounds or more, or any combination of

1 vehicles having a gross combination weight rating of 26,001
2 pounds or more if the vehicle being towed has a gross vehicle
3 weight rating of 10,001 pounds or more or the towing vehicle has
4 a gross vehicle weight rating of 26,001 pounds or more.

5 (b) A person who has a group B vehicle designation that is
6 not restricted under this subsection and who takes the driving
7 test required under section 312f for a group A vehicle designa-
8 tion in a combination of vehicles having a gross combination
9 weight rating under 26,001 pounds shall not operate any combina-
10 tion of vehicles having a gross combination weight rating of
11 26,001 pounds or more if the vehicle being towed has a gross
12 vehicle weight rating of 10,001 pounds or more.

13 (c) A person who takes the driving test required under
14 section 312f for a group B vehicle designation in a combination
15 of vehicles in which the towing vehicle has a gross vehicle
16 weight rating under 26,001 pounds shall not operate a single
17 vehicle having a gross vehicle weight rating of 26,001 pounds or
18 more, or any combination of vehicles if the towing vehicle has a
19 gross vehicle weight rating of 26,001 pounds or more.

20 (2) A person, before operating a commercial motor vehicle
21 pulling double trailers, shall procure the appropriate vehicle
22 group designation and a T vehicle indorsement under this act. A
23 person, before operating a commercial motor vehicle that is a
24 tank vehicle, shall procure the appropriate vehicle group desig-
25 nation and an N vehicle indorsement under this act. A person,
26 before operating a commercial motor vehicle carrying hazardous
27 materials on which a placard is required under 49 C.F.R. parts

1 100 to 199, shall procure the appropriate vehicle group
2 designation and an H vehicle indorsement under this act. A
3 person, before operating a commercial motor vehicle that is a
4 tank vehicle carrying hazardous material, shall procure the
5 appropriate vehicle group designation and both an N and H vehicle
6 indorsement, which combination vehicle indorsement shall be des-
7 ignated by the code letter X on the person's operator's or
8 chauffeur's license. A person, before operating a bus, school
9 bus, or school transportation vehicle, shall procure the appro-
10 priate vehicle group designation and a P vehicle indorsement
11 under this act. A person who fails the air brake portion of the
12 written or driving tests provided under section 312f or who takes
13 the driving test provided under that section in a commercial
14 motor vehicle that is not equipped with air brakes shall not
15 operate a commercial motor vehicle equipped with air brakes. One
16 or more indorsements may be necessary to operate a commercial
17 motor vehicle. An applicant for an indorsement shall take the
18 knowledge and driving skills tests described and required pursu-
19 ant to 49 C.F.R. part 383. Knowledge tests shall be limited to
20 that which a driver must have for the safe operation of a commer-
21 cial motor vehicle. The driver is not expected to have knowledge
22 of subjects, such as vehicle mechanics, that go beyond the scope
23 of the information necessary for safe operation of his or her
24 commercial motor vehicle. An applicant for a P vehicle indorse-
25 ment shall take the driving skills test in a bus or school bus.

26 (3) The holder of an unexpired operator's or chauffeur's
27 license may be issued a vehicle group designation and indorsement

1 valid for the remainder of the license upon meeting the
2 qualifications of section 312f and payment of the original vehi-
3 cle group designation fee of \$20.00 and an indorsement fee of
4 \$5.00 per indorsement for a 4-year operator's or chauffeur's
5 license, payment of a vehicle group designation fee of \$20.00 for
6 a 2-year operator's or chauffeur's license under section 314b and
7 an indorsement fee of \$5.00 per indorsement, and a corrected
8 license fee of \$6.00. A person required to procure an F vehicle
9 indorsement pursuant to subsection (5) shall pay an indorsement
10 fee of \$5.00.

11 (4) Except as otherwise provided in subsections (5) and (6),
12 this section does not apply to a driver or operator of a vehicle
13 under all of the following conditions:

14 (a) The vehicle is controlled and operated by a farmer or an
15 employee or family member of the farmer.

16 (b) The vehicle is used to transport agricultural products,
17 farm machinery, farm supplies, or a combination of these items,
18 to or from a farm.

19 (c) The vehicle is not used in the operation of a common or
20 contract motor carrier.

21 (d) The vehicle is operated within 150 miles of the farm.

22 (5) A person, before driving or operating a combination of
23 vehicles having a gross vehicle weight rating of 26,001 pounds or
24 more on the power unit that is used as described in
25 subsection (4)(a) to (d), shall obtain an F vehicle indorsement.
26 The F vehicle indorsement shall be issued upon successful
27 completion of a knowledge test only.

1 (6) A person, before driving or operating a single vehicle
2 truck having a gross vehicle weight rating of 26,001 pounds or
3 more or a combination of vehicles having a gross vehicle weight
4 rating of 26,001 pounds or more on the power unit that is used as
5 described in subsection (4)(a) to (d) for carrying hazardous
6 materials on which a placard is required under 49 C.F.R. parts
7 100 to 199, shall successfully complete both a knowledge test and
8 a driving skills test. Upon successful completion of the knowl-
9 edge test and driving skills test, the person shall be issued the
10 appropriate vehicle group designation and any vehicle indorsement
11 necessary under this act.

12 (7) This section does not apply to a ~~fire fighter~~ POLICE
13 OFFICER OPERATING AN AUTHORIZED EMERGENCY VEHICLE OR TO A
14 FIREFIGHTER operating an authorized emergency vehicle who has met
15 the driver training standards of the Michigan fire fighters'
16 training council.

17 (8) This section does not apply to a person operating a
18 motor home or a vehicle used exclusively to transport personal
19 possessions or family members for nonbusiness purposes.

20 ~~(9) A licensee who holds an operator's or chauffeur's~~
21 ~~license with a class 1 indorsement issued before January 1, 1990,~~
22 ~~may operate a single vehicle weighing over 24,000 pounds gross~~
23 ~~vehicle weight without having been issued a group B vehicle des-~~
24 ~~ignation on his or her license until the license expires as pro-~~
25 ~~vided in subsection (10). A licensee who holds an operator's or~~
26 ~~chauffeur's license with a class 2 indorsement issued before~~
27 ~~January 1, 1990, may operate a combination of vehicles weighing~~

~~1 over 24,000 pounds gross vehicle weight or a vehicle towing a
2 vehicle weighing over 10,000 pounds gross vehicle weight or a
3 single vehicle weighing over 24,000 pounds gross vehicle weight
4 without having been issued a group A or B vehicle designation on
5 his or her license until the license expires as provided in sub-
6 section (10). A licensee who holds an operator's or chauffeur's
7 license with a class 3 indorsement issued before January 1, 1990,
8 may operate a bus or school bus without having been issued a
9 vehicle group designation or passenger vehicle indorsement on his
10 or her license until the license expires as provided in subsec-
11 tion (10). A licensee who holds a chauffeur's license issued
12 before January 1, 1990 may operate a school transportation vehi-
13 cle without having been issued a vehicle group designation or
14 passenger vehicle indorsement on his or her license until the
15 license expires as provided in subsection (10).—~~

~~16 —(10) The class 1, class 2, or class 3 indorsement on a
17 person's operator's or chauffeur's license that expires after
18 March 31, 1992 shall expire on the person's next birthday after
19 March 31, 1991.—~~

20 (9) ~~(11)~~ The money received and collected under subsection
21 (3) for a vehicle group designation or indorsement shall be
22 deposited in the state treasury to the credit of the general
23 fund. The secretary of state shall refund out of the fees col-
24 lected to each county or municipality acting as an examining
25 officer or examining bureau \$3.00 for each applicant examined for
26 a first designation or indorsement to a 4-year operator's or
27 chauffeur's license, \$2.50 for each original designation or

1 indorsement to a 2-year operator's or chauffeur's license, \$1.50
2 for each renewal designation or indorsement to a 2- or 4-year
3 operator's or chauffeur's license, whose application is not
4 denied, on the condition that the money refunded shall be paid to
5 the county or local treasurer and is appropriated to the county,
6 municipality, or officer or bureau receiving that money for the
7 purpose of carrying out this act.

8 (10) ~~-(12)-~~ Notwithstanding any other provision of this sec-
9 tion, a person operating a vehicle described in subsections (4)
10 and (5) is subject to the provisions of sections 303 and 319b.