

SENATE BILL No. 943

December 11, 2001, Introduced by Senators SIKKEMA, SHUGARS, VAN REGENMORTER, BULLARD, MC MANUS, GOUGEON, HAMMERSTROM, NORTH, GARCIA, SANBORN, SCHUETTE, GOSCHKA, STEIL, SCHWARZ and STILLE and referred to the Committee on Judiciary.

A bill to amend 1963 PA 181, entitled
"Motor carrier safety act of 1963,"
by amending section 7c (MCL 480.17c), as amended by 2000 PA 298.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7c. (1) A driver or operator or an owner or user of a
2 bus, truck, truck tractor, or trailer, or certain other motor
3 vehicles, or an officer or agent of an individual, partnership,
4 corporation, or association, or their lessees or receiver
5 appointed by a court that is the owner or user of a vehicle, who
6 requires or permits the driver or operator to operate or drive a
7 bus, truck, truck tractor, or trailer, or certain other motor
8 vehicles, that violates this act or a rule promulgated under this
9 act if the vehicle is transporting a package required to be
10 marked or labeled under 49 C.F.R. parts 100 to 180, upon
11 conviction, is GUILTY OF A MISDEMEANOR punishable by IMPRISONMENT

1 FOR NOT MORE THAN 1 YEAR OR a fine of not more than \$500.00, OR
2 BOTH, for each violation.

3 (2) A PERSON OR ENTITY IDENTIFIED IN SUBSECTION (1) SHALL
4 NOT TRANSPORT, OR REQUIRE, PERMIT, OR ALLOW TO BE TRANSPORTED,
5 HAZARDOUS MATERIAL FOR WHICH A PLACARD IS REQUIRED UNDER 49
6 C.F.R. PARTS 100 TO 199, IN A VEHICLE IDENTIFIED IN SUBSECTION
7 (1) IF THE PERSON THAT IS TRANSPORTING THE HAZARDOUS MATERIAL
8 DOES NOT HAVE A HAZARDOUS MATERIAL ENDORSEMENT ON HIS OR HER
9 OPERATOR'S OR CHAUFFEUR'S LICENSE. A PERSON OR ENTITY THAT VIO-
10 LATES THIS SECTION IS GUILTY OF A MISDEMEANOR PUNISHABLE BY
11 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN
12 \$500.00, OR BOTH, FOR EACH VIOLATION.

13 (3) ~~-(2)-~~ An officer, employee, owner, or agent of an indi-
14 vidual, partnership, corporation, or association, or their les-
15 sees or receiver appointed by a court that is the owner or user
16 of any hazardous materials vehicle inspection or repair facility
17 that violates a section of this act, or a rule promulgated under
18 this act, related to the transportation of hazardous materials,
19 is guilty of a misdemeanor punishable as prescribed in this
20 section.