

HOUSE BILL No. 5733

December 18, 2009, Introduced by Reps. Donigan, Switalski and Johnson and referred to the Committee on Intergovernmental and Regional Affairs.

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) ~~This~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION**
2 **(2), THIS** act shall not apply to a motor carrier of passengers that
3 is any of the following:

4 (a) A county, city, township, or village as provided by law,
5 or other authority incorporated under ~~Act No. 55 of the Public Acts~~
6 ~~of 1963, as amended, being sections 124.351 to 124.359 of the~~
7 ~~Michigan Compiled Laws~~ **1963 PA 55, MCL 124.351 TO 124.359**. Each
8 authority and governmental agency incorporated under ~~Act No. 55 of~~
9 ~~the Public Acts of 1963~~ **1963 PA 55, MCL 124.351 TO 124.359**, shall
10 have the exclusive jurisdiction to determine its own contemplated
11 routes, hours of service, estimated transit vehicle miles, costs of
12 public transportation services, and projected capital improvements

1 or projects within its service area.

2 (b) An authority incorporated under the ~~metropolitan~~
3 ~~transportation authorities act of 1967, Act No. 204 of the Public~~
4 ~~Acts of 1967, as amended, being sections 124.401 to 124.426 of the~~
5 ~~Michigan Compiled Laws, METROPOLITAN TRANSPORTATION AUTHORITIES ACT~~
6 ~~OF 1967, 1967 PA 204, MCL 124.401 TO 124.426, OR THE REGIONAL~~
7 ~~TRANSPORTATION AUTHORITY ACT~~ or that operates a transportation
8 service pursuant to an interlocal agreement under the urban
9 cooperation act of 1967, ~~Act No. 7 of the Public Acts of the Extra~~
10 ~~Session of 1967, as amended, being sections 124.501 to 124.512 of~~
11 ~~the Michigan Compiled Laws 1967 (EX SESS) PA 7, MCL 124.501 TO~~
12 ~~124.512.~~

13 (c) Operating under a contract entered into pursuant to ~~Act~~
14 ~~No. 8 of the Public Acts of the Extra Session of 1967, being~~
15 ~~sections 124.531 to 124.536 of the Michigan Compiled Laws, or Act~~
16 ~~No. 35 of the Public Acts of 1951, being sections 124.1 to 124.13~~
17 ~~of the Michigan Compiled Laws 1967 (EX SESS) PA 8, MCL 124.531 TO~~
18 ~~124.536, OR 1951 PA 35, MCL 124.1 TO 124.13.~~

19 (d) An authority incorporated under the public transportation
20 authority act, ~~Act No. 196 of the Public Acts of 1986, being~~
21 ~~sections 124.451 to 124.479 of the Michigan Compiled Laws 1986 PA~~
22 ~~196, MCL 124.451 TO 124.479,~~ or a nonprofit corporation organized
23 under the nonprofit corporation act, ~~Act No. 162 of the Public Acts~~
24 ~~of 1982, being sections 450.2101 to 450.3192 of the Michigan~~
25 ~~Compiled Laws 1982 PA 162, MCL 450.2101 TO 450.3192,~~ that provides
26 transportation services.

27 (e) An authority financing public improvements to

1 transportation systems under the revenue bond act of 1933, ~~Act No.~~
2 ~~94 of the Public Acts of 1933, being sections 141.101 to 141.140 of~~
3 ~~the Michigan Compiled Laws 1933 PA 94, MCL 141.101 TO 141.140.~~

4 (2) A motor carrier of passengers exempt under subsection (1)
5 shall operate under the requirements of this act when operating
6 outside of the political subdivisions permitted by the authorizing
7 statute, **AN INTERLOCAL AGREEMENT UNDER THE URBAN COOPERATION ACT OF**
8 **1967, 1967 (EX SESS) PA 7, MCL 124.501 TO 124.512,** or the contract
9 required by the authorizing statute.

10 Enacting section 1. This amendatory act does not take effect
11 unless Senate Bill No.____ or House Bill No. 5731(request no.
12 05401'09 *) of the 95th Legislature is enacted into law.