

Legislative Analysis



COMMERCIAL VEHICLE EXEMPTION

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House Bill 5228 (Proposed H-1 Substitute)

Sponsor: Rep. Greg MacMaster

Committee: Transportation

Complete to 2-29-12

A REVISED SUMMARY OF HOUSE BILL 5228 (PROPOSED H-1)

The bill would amend the Motor Carrier Safety Act, which applies to commercial transportation. The bill says that, with certain exceptions, the act does not apply to a vehicle that is operated entirely within Michigan (regardless of whether the load carried has been carried entirely within the state) and is used in commerce to transport passengers or property.

However, the exemption contained in the bill would not apply to:

**** A vehicle with a gross vehicle weight rating, combination weight rating, or combination gross weight rating of 26,001 or more pounds.**

**** A vehicle that transports hazardous materials that require placarding.**

**** A vehicle that is designed and used to transport more than 15 passengers, including the driver.**

(This means the Motor Carrier Safety Act would continue to apply to the vehicles listed above even if they are operated entirely within Michigan.)

MCL 480.11a

FISCAL IMPACT:

The Michigan State Police Motor Carrier Enforcement Division is supported in part through federal Commercial Motor Carrier Safety Program funds authorized in 49 CFR Part 350. One of the conditions for state funding eligibility is adoption and enforcement of state laws and regulations pertaining to commercial motor vehicle safety that are compatible with appropriate parts of the federal regulations.

We have not yet determined whether or not House Bill 5228 would put Michigan out of compliance with federal regulations and thereby jeopardize federal funding.

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