

HOUSE BILL No. 5908

November 6, 2014, Introduced by Rep. Kelly and referred to the Committee on Energy and Technology.

A bill to amend 1982 PA 432, entitled
"Motor bus transportation act,"
by amending the title and sections 1, 3, 4, 5, 7, 9, 15, 16, 17,
23, 27, 29, 32, 33, 34, 35, and 39 (MCL 474.101, 474.103, 474.104,
474.105, 474.107, 474.109, 474.115, 474.116, 474.117, 474.123,
474.127, 474.129, 474.132, 474.133, 474.134, 474.135, and 474.139),
sections 3, 4, 5, 7, 17, 23, 27, 29, 33, 34, 35, and 39 as amended
and section 32 as added by 1989 PA 233, section 9 as amended by
2012 PA 570, and section 16 as amended by 1996 PA 421, and by
adding sections 10 and 38; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to regulate persons who transport passengers by ~~motor~~
LIMOUSINE OR bus; to prescribe powers and duties for the state

1 transportation department; to impose certain fees; and to impose
2 penalties; **AND TO REPEAL ACTS AND PARTS OF ACTS.**

3 Sec. 1. This act shall be known and may be cited as the ~~"motor~~
4 ~~bus transportation act"~~. **"COMMERCIAL PASSENGER TRANSPORTATION ACT".**

5 Sec. 3. As used in this act:

6 (A) **"APPLICANT" MEANS A PERSON WHO APPLIES FOR A CERTIFICATE**
7 **UNDER THIS ACT.**

8 (B) **"AUTHORIZED SEASONAL VEHICLE" MEANS AN AUTHORIZED VEHICLE**
9 **THAT SATISFIES BOTH OF THE FOLLOWING:**

10 (i) **THE DEPARTMENT HAS APPROVED THE VEHICLE TO BE USED IN**
11 **SERVICE FOR A CONTIGUOUS PERIOD OF TIME THAT DOES NOT EXCEED 6**
12 **MONTHS.**

13 (ii) **THE VEHICLE SATISFIES THE INSPECTION AND INSURANCE**
14 **REQUIREMENTS OF THIS ACT DURING THE PERIOD THE VEHICLE HAS BEEN**
15 **APPROVED FOR USE.**

16 (C) **"AUTHORIZED VEHICLE" MEANS A VEHICLE OPERATED BY A MOTOR**
17 **CARRIER THAT COMPLIES WITH ALL REQUIREMENTS OF THIS ACT.**

18 (D) **"BUS" MEANS A MOTOR VEHICLE WITH A MAXIMUM SEATING**
19 **CAPACITY OF 16 OR MORE PASSENGERS, INCLUDING THE DRIVER, THAT IS**
20 **USED IN THE TRANSPORTATION OF PASSENGERS AND THEIR BAGGAGE FOR HIRE**
21 **UPON ANY PUBLIC HIGHWAY OF THIS STATE. EXCEPT AS OTHERWISE PROVIDED**
22 **IN SECTION 4(1)(J), BUS INCLUDES A SCHOOL BUS.**

23 (E) ~~(a) "Certificate" of authority means a certificate of~~
24 ~~authority issued under the terms of this act. unless the context~~
25 ~~indicates otherwise.~~ **CERTIFICATE INCLUDES AN ORIGINAL ANNUAL**
26 **CERTIFICATE, A REINSTATEMENT CERTIFICATE, AND A RENEWAL**
27 **CERTIFICATE.**

1 (F) "CERTIFIED MECHANIC" MEANS A PERSON CERTIFIED BY THE
2 SECRETARY OF STATE UNDER THE MOTOR VEHICLE SERVICE AND REPAIR ACT.

3 (G) ~~(b)~~ "Department" means the state transportation
4 department.

5 (H) ~~(e)~~ "For hire" means for remuneration or reward of any
6 kind, paid or promised, either directly or indirectly.

7 ~~(d) "Lessor" means a person who leases a motor bus to any~~
8 ~~other person for the transportation of passengers for hire over the~~
9 ~~public highways of this state.~~

10 ~~(e) "Motor bus" means a self propelled motor vehicle used in~~
11 ~~the transportation of passengers and their baggage for hire upon~~
12 ~~any public highway of this state with a maximum seating capacity of~~
13 ~~10 persons or more, or 16 persons or more if the limousine~~
14 ~~transportation act is enacted into law, including the driver. Motor~~
15 ~~bus does not include a self propelled motor vehicle having a~~
16 ~~seating capacity of 15 passengers or less that is used by or on~~
17 ~~behalf of an employer to transport its employees to and from their~~
18 ~~place of employment.~~

19 (I) "LIMOUSINE" MEANS A MOTOR VEHICLE WITH A SEATING CAPACITY
20 OF 9 TO 15 PASSENGERS, INCLUDING THE DRIVER, THAT IS USED IN THE
21 TRANSPORTATION OF PASSENGERS FOR HIRE.

22 (J) ~~(f)~~ "Motor carrier of passengers" "MOTOR CARRIER" means a
23 person who, either directly or through any device or arrangement,
24 holds himself or herself out to the public as willing to undertake
25 ~~for hire to transport~~ PASSENGERS FOR HIRE by ~~motor~~ LIMOUSINE OR bus
26 ~~from place to place over the public highways of this state. persons~~
27 ~~who may choose to employ him or her for that purpose or for the~~

~~purpose of transporting package express, baggage of passengers,
newspapers, or United States mail in the same vehicle used to
transport passengers.~~

(K) "MOTOR VEHICLE REPAIR FACILITY" MEANS A VEHICLE REPAIR FACILITY THAT IS REGISTERED WITH THE SECRETARY OF STATE UNDER THE MOTOR VEHICLE SERVICE AND REPAIR ACT, EMPLOYS CERTIFIED MECHANICS, AND HAS NOT BEEN EXCLUDED FROM PROVIDING INSPECTIONS UNDER THIS ACT.

(I) "MOTOR VEHICLE SERVICE AND REPAIR ACT" MEANS THE MOTOR VEHICLE SERVICE AND REPAIR ACT, 1974 PA 300, MCL 257.1301 TO 257.1340.

(M) "ORIGINAL ANNUAL CERTIFICATE" MEANS THE FIRST CERTIFICATE APPLIED FOR AND RECEIVED BY A MOTOR CARRIER UNDER THIS ACT.

(N) ~~(g)~~ "Person" means an individual, sole proprietorship, partnership, association, corporation, or other legal entity, or the lessee, trustee, or receiver of any of these entities; this state; a city, village, township, or county of this state; the federal government; or an employee, officer, or agent of any of these units of government.

(O) ~~(h)~~ "Public highway" means a highway, road, street, avenue, alley, or thoroughfare of any kind, or a bridge, tunnel, or subway used by the public.

(P) "REINSTATEMENT CERTIFICATE" MEANS A CERTIFICATE ISSUED TO A MOTOR CARRIER WHOSE ORIGINAL ANNUAL CERTIFICATE OR ORIGINAL SEASONAL CERTIFICATE WAS PREVIOUSLY REVOKED UNDER THIS ACT.

(Q) "RENEWAL CERTIFICATE" MEANS A CERTIFICATE FOR THE CONTINUATION OF A PRIOR ORIGINAL ANNUAL CERTIFICATE OR AN ORIGINAL

1 SEASONAL CERTIFICATE THAT REMAINED IN GOOD STANDING, OR THE
2 CONTINUATION OF A REINSTATEMENT CERTIFICATE.

3 (R) "ROSTER" MEANS A LIST OF LIMOUSINES OR BUSES TO BE
4 OPERATED FOR HIRE BY A MOTOR CARRIER THAT IS CERTIFIED OR SEEKING
5 CERTIFICATION UNDER THIS ACT AND THAT INDICATES ALL OF THE
6 FOLLOWING INFORMATION:

7 (i) THE VEHICLE IDENTIFICATION NUMBER, MAKE, MODEL, FLEET
8 NUMBER, AND YEAR OF EACH VEHICLE.

9 (ii) THE BEGINNING AND ENDING DATES OF SERVICE FOR EACH
10 SEASONAL VEHICLE.

11 (S) "SAFETY INSPECTOR" MEANS AN INDIVIDUAL DESIGNATED BY THE
12 DEPARTMENT TO CONDUCT SAFETY INSPECTIONS UNDER THIS ACT.

13 (T) "SERVICE" MEANS THE MOVEMENT OF PASSENGERS BY LIMOUSINE OR
14 BUS.

15 (U) ~~(i)~~—"The public" means ~~that~~ **THE** part or portion of the
16 general public ~~which~~ **THAT** the motor carrier is ready, able,
17 willing, and equipped to serve.

18 (V) ~~(j)~~—"Through any device or arrangement" means any and all
19 methods, means, agreements, circumstances, operations, or
20 subterfuges under which a person undertakes for hire to conduct,
21 direct, control, or otherwise perform the transportation of
22 passengers by ~~motor~~ **LIMOUSINE OR** bus service upon the public
23 highways of this state.

24 Sec. 4. (1) This act ~~shall~~ **DOES** not apply to a motor carrier
25 ~~of passengers~~ that is any of the following:

26 (a) A county, city, township, or village as provided by law,
27 or other authority incorporated under ~~Act No. 55 of the Public Acts~~

1 ~~of 1963, as amended, being sections 124.351 to 124.359 of the~~
2 ~~Michigan Compiled Laws. Each authority and governmental agency~~
3 ~~incorporated under Act No. 55 of the Public Acts of 1963 shall have~~
4 ~~the exclusive jurisdiction to determine its own contemplated~~
5 ~~routes, hours of service, estimated transit vehicle miles, costs of~~
6 ~~public transportation services, and projected capital improvements~~
7 ~~or projects within its service area.~~ **1963 PA 55, MCL 124.351 TO**
8 **124.359.**

9 (b) An authority incorporated under the metropolitan
10 transportation authorities act of 1967, ~~Act No. 204 of the Public~~
11 ~~Acts of 1967, as amended, being sections 124.401 to 124.426 of the~~
12 ~~Michigan Compiled Laws,~~ **1967 PA 204, MCL 124.401 TO 124.426,** or
13 that operates a transportation service pursuant to an interlocal
14 agreement under the urban cooperation act of 1967, ~~Act No. 7 of the~~
15 ~~Public Acts of the Extra Session of 1967, as amended, being~~
16 ~~sections 124.501 to 124.512 of the Michigan Compiled Laws.~~ **1967 (EX**
17 **SESS) PA 7, MCL 124.501 TO 124.512.**

18 (c) Operating under a contract entered into pursuant to ~~Act~~
19 ~~No. 8 of the Public Acts of the Extra Session of 1967, being~~
20 ~~sections 124.531 to 124.536 of the Michigan Compiled Laws,~~ **1967 (EX**
21 **SESS) PA 8, MCL 124.531 TO 124.536,** or ~~Act No. 35 of the Public~~
22 ~~Acts of 1951, being sections 124.1 to 124.13 of the Michigan~~
23 ~~Compiled Laws.~~ **1951 PA 35, MCL 124.1 TO 124.13.**

24 (d) An authority incorporated under the public transportation
25 authority act, ~~Act No. 196 of the Public Acts of 1986, being~~
26 ~~sections 124.451 to 124.479 of the Michigan Compiled Laws, or a~~
27 **1986 PA 196, MCL 124.451 TO 124.479.**

1 (E) A REGIONAL TRANSIT AUTHORITY CREATED UNDER THE REGIONAL
2 TRANSIT AUTHORITY ACT, 2012 PA 387, MCL 124.541 TO 124.558.

3 (F) A nonprofit corporation organized under the nonprofit
4 corporation act, ~~Act No. 162 of the Public Acts of 1982, being~~
5 ~~sections 450.2101 to 450.3192 of the Michigan Compiled Laws, 1982~~
6 PA 162, MCL 450.2101 TO 450.3192, AND AS DEFINED BY SECTIONS
7 501(C)(3), (4), (19), OR (23) OF THE INTERNAL REVENUE CODE OF 1986,
8 that provides 1 OR BOTH OF THE FOLLOWING transportation services: -

9 (i) SERVICES THAT ARE RESTRICTED ONLY TO REGISTERED MEMBERS OF
10 THE NONPROFIT CORPORATION.

11 (ii) SERVICES THAT ARE FUNDED UNDER 1951 PA 51, MCL 247.651 TO
12 247.675, THROUGH PROGRAMS ADMINISTERED BY THE DEPARTMENT.

13 (G) ~~(e) An authority financing public improvements to~~
14 ~~transportation systems under the revenue bond act of 1933, Act No.~~
15 ~~94 of the Public Acts of 1933, being sections 141.101 to 141.140 of~~
16 ~~the Michigan Compiled Laws. 1933 PA 94, MCL 141.101 TO 141.140.~~

17 (H) A MOTOR CARRIER THAT OPERATES LIMOUSINES ONLY FOR THE
18 PURPOSE OF TRANSPORTING PASSENGERS TO AND FROM FUNERALS.

19 (I) A MOTOR CARRIER THAT OPERATES A MOTOR VEHICLE WITH A
20 SEATING CAPACITY OF 15 PASSENGERS OR LESS, INCLUDING THE DRIVER,
21 THAT IS OWNED OR LEASED BY OR ON BEHALF OF AN EMPLOYER TO TRANSPORT
22 ITS EMPLOYEES TO AND FROM THEIR PLACE OF EMPLOYMENT.

23 (J) A PUBLIC OR PRIVATE SCHOOL OR A UNIT OF GOVERNMENT THAT
24 OWNS OR OPERATES A SCHOOL BUS, OR A PRIVATELY OWNED SCHOOL BUS THAT
25 IS UNDER CONTRACT WITH A SCHOOL DISTRICT, AN INDEPENDENT SCHOOL
26 DISTRICT, OR A PRIVATE OR CHARTER SCHOOL, WHEN THAT BUS IS USED
27 SOLELY FOR THE TRANSPORTATION OF PUPILS TO OR FROM SCHOOL, SCHOOL-

1 RELATED EVENTS, OR OTHER USES AS PROVIDED UNDER THE PUPIL
2 TRANSPORTATION ACT, 1990 PA 187, MCL 257.1801 TO 257.1877.

3 (2) A motor carrier ~~of passengers~~ **THAT IS** exempt under
4 subsection (1) shall operate under the requirements of this act
5 when operating outside of the political subdivisions permitted by
6 the authorizing statute or the contract required by the authorizing
7 statute.

8 Sec. 5. A motor carrier ~~of passengers~~ shall not operate a
9 ~~motor~~ **LIMOUSINE OR** bus for the transportation of persons for hire
10 on a public highway in this state except in accordance with this
11 act. A motor carrier ~~of passengers~~ shall not operate upon a public
12 highway without first having obtained from the department a
13 certificate. ~~of authority.~~ **A MOTOR CARRIER SHALL REGISTER ITS ROSTER**
14 **WITH THE DEPARTMENT, AND ALL VEHICLES ON THE ROSTER SHALL COMPLY**
15 **WITH THE PROVISIONS OF THIS ACT.**

16 Sec. 7. (1) The department shall issue without a hearing a
17 certificate ~~of authority~~ to a motor carrier ~~of passengers~~
18 authorizing that carrier to provide transportation services subject
19 to the jurisdiction of the department under this act, if the
20 department finds ~~pursuant to section 9(1)~~ that the **MOTOR** carrier is
21 fit, willing, and able to provide the transportation service
22 authorized by the certificate ~~of authority and to comply~~ **IN**
23 **COMPLIANCE** with this act. ~~, and if the applicant presents evidence~~
24 ~~of the acquisition of personal injury protection and property~~
25 ~~damage liability insurance as required by section 9(2).~~ The
26 department may attach **TERMS OR CONDITIONS** to the exercise of the
27 privilege granted by a certificate ~~of authority terms or conditions~~

1 as the department considers appropriate.

2 (2) AN APPLICATION FOR A CERTIFICATE IS NOT COMPLETE UNLESS
3 THE APPLICANT HAS COMPLIED WITH ALL APPLICABLE PROVISIONS OF THIS
4 ACT AND WITH THE APPLICATION REQUIREMENTS OF THE DEPARTMENT. IF AN
5 APPLICANT FAILS TO COMPLY WITH THE APPLICATION REQUIREMENTS OF THE
6 DEPARTMENT AND FAILS TO CORRECT ITS NONCOMPLIANCE WITHIN 60 DAYS
7 AFTER THE INITIAL APPLICATION DATE, THE APPLICATION SHALL BE
8 CANCELED AND ANY APPLICATION FEES PAID BY THE APPLICANT ARE
9 FORFEITED.

10 (3) THE DEPARTMENT SHALL NOT ISSUE OR RENEW A CERTIFICATE TO A
11 MOTOR CARRIER IF THE MOTOR CARRIER OWES OUTSTANDING FEES TO THE
12 DEPARTMENT.

13 (4) A CERTIFICATE COVERS A MOTOR CARRIER AND THE AUTHORIZED
14 VEHICLES LISTED ON THE ROSTER OF THE MOTOR CARRIER. A MOTOR CARRIER
15 AND AT LEAST 1 VEHICLE ON ITS ROSTER SHALL REMAIN IN GOOD STANDING
16 DURING THE TIME PERIOD COVERED BY THE CERTIFICATE OR THE
17 CERTIFICATE IS AUTOMATICALLY REVOKED. TO REMAIN IN GOOD STANDING AS
18 REQUIRED BY THIS SUBSECTION, A MOTOR CARRIER SHALL DO ALL OF THE
19 FOLLOWING:

20 (A) PAY ALL FEES BY THE DUE DATE.

21 (B) MAINTAIN INSURANCE FOR EACH AUTHORIZED VEHICLE ON THE
22 ROSTER.

23 (C) ENSURE THAT EACH AUTHORIZED VEHICLE ON THE ROSTER COMPLIES
24 WITH THE INSPECTION REQUIREMENTS OF THIS ACT.

25 (5) THE DEPARTMENT SHALL APPROVE OR DENY AN APPLICATION FOR A
26 CERTIFICATE WITHIN 90 DAYS AFTER THE COMPLETE APPLICATION IS FILED
27 WITH THE DEPARTMENT BY A MOTOR CARRIER. IF THE DEPARTMENT DENIES AN

1 APPLICATION FOR A CERTIFICATE, THE DEPARTMENT SHALL NOTIFY THE
2 APPLICANT OF THE DENIAL IN WRITING AND THE REASONS FOR THE DENIAL.
3 AN APPLICANT WHOSE APPLICATION IS DENIED MAY, WITHIN 30 DAYS AFTER
4 THE DATE OF THE DENIAL, CORRECT ANY DEFICIENCY IN THE APPLICATION
5 AND REAPPLY FOR A CERTIFICATE WITHOUT PAYMENT OF AN ADDITIONAL
6 APPLICATION FEE.

7 Sec. 9. (1) In determining the ~~fitness, willingness, and~~
8 ~~ability~~ **ELIGIBILITY** of an applicant for a certificate of authority
9 to provide transportation service, the department shall consider
10 all of the following: ~~before issuing the original certificate of~~
11 ~~authority.~~

12 (a) ~~The applicant's safety record.~~ **WHETHER THE APPLICANT HAS**
13 **PAID THE REQUIRED FEES UNDER SECTION 17.**

14 (b) ~~The~~ **WHETHER THE** character and condition of each ~~meter~~
15 **LIMOUSINE OR bus and whether** **ON THE APPLICANT'S ROSTER IS SUCH THAT**
16 it may be operated safely upon the public highways based on an
17 inspection conducted ~~by the department under section 16.~~ **IN**
18 **ACCORDANCE WITH THIS ACT.**

19 (c) ~~The applicant's financial ability to provide continuous~~
20 **WHETHER THE APPLICANT HAS PROOF OF** insurance coverage as required
21 by subsection (2) or (3) and to have adequate financial resources
22 ~~in order to pay for damage claims against the applicant.~~ **SECTION 10.**

23 (D) **WHETHER THE APPLICANT HAS PROVIDED THE DEPARTMENT WITH**
24 **DETAILS OF ANY FIXED ROUTE SERVICE THAT THE APPLICANT WILL PROVIDE**
25 **IN THIS STATE, IF APPLICABLE.**

26 (E) **WHETHER THE APPLICANT HAS MET ALL OTHER REQUIREMENTS OF**
27 **THIS ACT.**

~~(2) An applicant shall acquire the following liability insurance coverage for acts or omissions of the applicant as a motor carrier of passengers:~~

~~(a) Bodily injury and property damage liability insurance with a minimum combined single limit of \$5,000,000.00 for all persons injured or for property damage.~~

~~(b) Personal protection insurance and property protection insurance as required by chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3119. A motor common carrier of passengers shall maintain the insurance described in this subsection as a condition of maintaining a certificate of authority issued under this act.~~

~~(3) The insurance requirements of subsection (2) are waived if the applicant qualifies for and obtains a certificate of self-insurance from the commissioner of the office of financial and insurance regulation under section 3101d of the insurance code of 1956, 1956 PA 218, MCL 500.3101d.~~

~~(4) An applicant that does not satisfy subsection (1) and either subsection (2) or subsection (3) shall not be issued a certificate of authority to provide transportation service under this act.~~

(2) THE DEPARTMENT SHALL NOT ISSUE A CERTIFICATE TO AN APPLICANT THAT DOES NOT MEET THE ELIGIBILITY REQUIREMENTS DESCRIBED IN SUBSECTION (1).

SEC. 10. (1) AN APPLICANT SHALL ACQUIRE THE FOLLOWING LIABILITY INSURANCE COVERAGE FOR ACTS OR OMISSIONS OF THE APPLICANT AS A MOTOR CARRIER:

1 (A) FOR LIMOUSINES, BODILY INJURY AND PROPERTY DAMAGE
2 LIABILITY INSURANCE WITH A MINIMUM COMBINED SINGLE LIMIT OF
3 \$1,500,000.00 FOR ALL PERSONS INJURED OR FOR PROPERTY DAMAGE.

4 (B) FOR BUSES, BODILY INJURY AND PROPERTY DAMAGE LIABILITY
5 INSURANCE WITH A MINIMUM COMBINED SINGLE LIMIT OF \$5,000,000.00 FOR
6 ALL PERSONS INJURED OR FOR PROPERTY DAMAGE.

7 (C) PERSONAL PROTECTION INSURANCE AND PROPERTY PROTECTION
8 INSURANCE AS REQUIRED BY CHAPTER 31 OF THE INSURANCE CODE OF 1956,
9 1956 PA 218, MCL 500.3101 TO 500.3179.

10 (2) A MOTOR CARRIER SHALL MAINTAIN THE INSURANCE COVERAGE
11 DESCRIBED IN SUBSECTION (1) AS A CONDITION OF MAINTAINING A
12 CERTIFICATE ISSUED UNDER THIS ACT. FOR EACH AUTHORIZED SEASONAL
13 VEHICLE, A MOTOR CARRIER SHALL MAINTAIN THE INSURANCE COVERAGE
14 DESCRIBED IN SUBSECTION (1) DURING THE APPROVED SEASONAL PERIOD.

15 (3) THE INSURANCE REQUIREMENTS OF SUBSECTION (1) ARE WAIVED IF
16 THE APPLICANT QUALIFIES FOR AND OBTAINS A CERTIFICATE OF SELF-
17 INSURANCE FROM THE COMMISSIONER OF THE OFFICE OF FINANCIAL AND
18 INSURANCE SERVICES UNDER SECTION 3101D OF THE INSURANCE CODE OF
19 1956, 1956 PA 218, MCL 500.3101D.

20 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, IF A MOTOR
21 CARRIER CANCELS THE INSURANCE COVERAGE REQUIRED UNDER THIS SECTION
22 FOR ANY REASON OR IF THE COVERAGE LEVEL FALLS BELOW THE LEVELS
23 PROVIDED IN SUBSECTION (1), THE CERTIFICATE ISSUED TO THAT MOTOR
24 CARRIER IS AUTOMATICALLY REVOKED.

25 (5) A MOTOR CARRIER SHALL ENSURE THAT ITS INSURANCE CARRIER
26 NOTIFIES THE DEPARTMENT OF THE MOTOR CARRIER'S INSURANCE COVERAGE
27 ON A FORM ISSUED BY THE DEPARTMENT. THE FORM ISSUED BY THE

1 DEPARTMENT SHALL CONTAIN, AT A MINIMUM, THE MOTOR CARRIER'S LEGAL
2 NAME, COVERAGE DATES, AND INSURANCE CARRIER NAME. THE DEPARTMENT
3 SHALL NOT ACCEPT A FORM FROM AN AGENT OF AN INSURANCE CARRIER.

4 (6) A MOTOR CARRIER SHALL ENSURE THAT ITS INSURANCE CARRIER
5 NOTIFIES THE DEPARTMENT OF ANY CANCELLATION OR LAPSE IN THE MOTOR
6 CARRIER'S INSURANCE COVERAGE.

7 ~~Sec. 15. The department shall issue a certificate of authority~~
8 ~~as provided in this act to a motor common carrier of passengers who~~
9 ~~holds either a valid permit as a contract motor carrier of~~
10 ~~passengers or a valid certificate of authority as a common motor~~
11 ~~carrier of passengers under the motor carrier act, Act No. 254 of~~
12 ~~the Public Acts of 1933, as amended, being sections 475.1 to 479.49~~
13 ~~of the Michigan Compiled Laws, on the day immediately before the~~
14 ~~effective date of this act, without making the determination~~
15 ~~required by section 9(1) if the department determines that the~~
16 ~~carrier has met the insurance requirements of section 9(2).~~ EACH
17 LIMOUSINE AND BUS ON A MOTOR CARRIER'S ROSTER SHALL DISPLAY THE
18 MOTOR CARRIER'S LEGAL NAME OR ASSUMED NAME AS LISTED ON ITS
19 APPLICATION FOR AUTHORITY OR OFFICIAL REQUEST FOR NAME CHANGE AS
20 SUBMITTED TO THE DEPARTMENT AND PRIMARY TELEPHONE NUMBER ON BOTH
21 SIDES OF THE LIMOUSINE OR BUS IN A COLOR THAT IS IN SHARP CONTRAST
22 TO THE BACKGROUND COLOR AND IN A SIZE THAT IS VISIBLE FROM A
23 DISTANCE OF AT LEAST 50 FEET. THE DISPLAY REQUIRED UNDER THIS
24 SECTION SHALL MEET THE VEHICLE IDENTIFICATION REQUIREMENTS OF 49
25 CFR PARTS 390 TO 399.

26 Sec. 16. (1) ~~Each~~ TO MAINTAIN AUTHORIZED STATUS FOR A
27 LIMOUSINE OR BUS, A motor carrier of passengers who holds a

~~certificate of authority issued under this act shall permit the~~
~~department to inspect each motor bus once annually, or more~~
~~frequently if necessary to determine the current character and~~
~~condition of the motor bus.~~ SHALL ENSURE THAT THE LIMOUSINE OR BUS
PASSES A VALID INSPECTION AS PROVIDED IN THIS SECTION AND THAT THE
CONDITION OF THE LIMOUSINE OR BUS IS MAINTAINED BETWEEN
INSPECTIONS.

(2) BEGINNING ON JULY 1, 2015, FOR AN INSPECTION OF A
LIMOUSINE TO BE A VALID INSPECTION, ALL OF THE FOLLOWING SHALL BE
SATISFIED:

(A) THE INSPECTION IS CONDUCTED NO LATER THAN 12 MONTHS AFTER
THE DATE ON THE LAST VALID INSPECTION REPORT FILED WITH THE
DEPARTMENT.

(B) THE INSPECTION MEETS DEPARTMENT SPECIFICATIONS AND
STANDARDS.

(C) THE INSPECTION WAS CONDUCTED AT A DEPARTMENT-APPROVED
MOTOR VEHICLE REPAIR FACILITY BY A PROPERLY CERTIFIED MECHANIC WHO
CERTIFIES THAT THE LIMOUSINE PASSED THE INSPECTION BY SIGNING A
DEPARTMENT INSPECTION REPORT.

(D) THE MOTOR CARRIER FILES THE DEPARTMENT INSPECTION REPORT
WITH THE DEPARTMENT NO LATER THAN 12 MONTHS AFTER THE DATE ON THE
LAST VALID INSPECTION REPORT RECEIVED BY THE DEPARTMENT.

(3) ~~(2) Each motor bus operated by the motor carrier of~~
~~passengers under its certificate of authority shall pass the safety~~
~~inspection which meets the department's specifications for safe~~
~~operating character and condition for the renewal of~~
~~certificate.~~ BEGINNING ON JULY 1, 2015, FOR AN INSPECTION OF A BUS

1 TO BE A VALID INSPECTION, ALL OF THE FOLLOWING SHALL BE SATISFIED:

2 (A) AN INSPECTION HAS BEEN SCHEDULED AT THE DEPARTMENT'S
3 CONVENIENCE.

4 (B) THE INSPECTOR OF THE BUS INDICATES ON AN INSPECTION REPORT
5 PREPARED BY THE DEPARTMENT THAT THE BUS HAS PASSED THE INSPECTION
6 BEFORE THE EXPIRATION OF THE PREVIOUS INSPECTION.

7 (C) IF THE INSPECTION IS OF A SEASONAL BUS, THE INSPECTION
8 OCCURRED NO EARLIER THAN 30 DAYS BEFORE THE BEGINNING OF THE
9 APPROVED SEASONAL PERIOD FOR THAT BUS.

10 (4) ~~(3) A motor LIMOUSINE OR bus that does not pass a required~~
11 ~~departmental~~ HAVE A VALID inspection under this section shall not
12 be operated over the public highways of this state, AND THE MOTOR
13 CARRIER SHALL REMOVE THE LIMOUSINE OR BUS FROM ITS ROSTER.

14 (5) A MOTOR CARRIER IS SUBJECT TO THE FOLLOWING PENALTIES FOR
15 EACH LIMOUSINE THAT DOES NOT HAVE A VALID INSPECTION AS REQUIRED BY
16 THIS SECTION:

17 (A) IF A MOTOR CARRIER FILES THE INSPECTION REPORT REQUIRED
18 UNDER SUBSECTION (2) (D) LATER THAN 12 MONTHS AFTER THE DATE ON THE
19 LAST VALID INSPECTION REPORT RECEIVED BY THE DEPARTMENT, BUT THE
20 DEPARTMENT VERIFIES THAT THE INSPECTION WAS CONDUCTED PRIOR TO THE
21 EXPIRATION OF THE LAST VALID INSPECTION, THE MOTOR CARRIER SHALL
22 PAY A FEE OF \$100.00 FOR EACH LATE INSPECTION REPORT. THE
23 DEPARTMENT SHALL REVOKE THE CERTIFICATE OF A MOTOR CARRIER THAT
24 DOES NOT PAY A FEE ASSESSED UNDER THIS SUBDIVISION WITHIN 30 DAYS
25 AFTER ASSESSMENT OF THE FEE.

26 (B) IF A MOTOR CARRIER FAILS TO OBTAIN A VALID INSPECTION
27 BEFORE EXPIRATION OF THE LAST VALID INSPECTION, THE FOLLOWING

PENALTIES SHALL BE ASSESSED BY THE DEPARTMENT:

(i) IF THE INSPECTION IS CONDUCTED BETWEEN 1 AND 30 DAYS LATE,
\$100.00.

(ii) IF THE INSPECTION IS CONDUCTED BETWEEN 31 AND 60 DAYS
LATE, \$250.00.

(iii) IF THE INSPECTION IS CONDUCTED 61 OR MORE DAYS LATE,
\$500.00.

(6) A MOTOR CARRIER IS SUBJECT TO ALL OF THE FOLLOWING
PENALTIES FOR EACH BUS THAT DOES NOT HAVE A VALID INSPECTION AS
REQUIRED BY THIS SECTION:

(A) A MOTOR CARRIER SHALL BE ASSESSED A FEE OF \$500.00 FOR
EACH LATE INSPECTION. THIS FEE SHALL BE IN ADDITION TO ANY FEE
ASSESSED UNDER SUBDIVISION (B). THE DEPARTMENT MAY WAIVE THE FEE
PROVIDED FOR IN THIS SUBDIVISION IF THE LATE INSPECTION WAS
PRIMARILY CAUSED BY THE SCHEDULE OF THE SAFETY INSPECTOR.

(B) THE MOTOR CARRIER SHALL BE ASSESSED A REINSPECTION FEE
ACCORDING TO THE FOLLOWING SCHEDULE UNTIL THE VEHICLE PASSES AN
INSPECTION OR IS PERMANENTLY REMOVED FROM SERVICE:

(i) FOR A FIRST REINSPECTION, \$100.00.

(ii) FOR A SECOND REINSPECTION, \$200.00.

(iii) FOR A THIRD REINSPECTION, \$300.00.

(iv) FOR A FOURTH REINSPECTION, \$400.00 AND REVOCATION OF
AUTHORITY.

(v) FOR A FIFTH AND SUBSEQUENT REINSPECTION, \$500.00.

(7) ~~(4)~~—Instead of an inspection by the department under
subsection ~~(1)~~, ~~(2)~~ OR (3), an applicant for a certificate of
~~authority~~ or a renewal of a certificate of ~~authority~~ may provide

1 evidence of a current year ~~motor~~ LIMOUSINE OR bus inspection by a
2 state, district, ~~ex~~ province, OR LOCAL MUNICIPALITY that has
3 standards comparable to the federal motor carrier safety periodic
4 inspection standards AND THAT HAS BEEN APPROVED BY THE DEPARTMENT.
5 The department ~~shall~~ MAY issue a list of the states, districts, ~~ex~~
6 provinces, AND LOCAL MUNICIPALITIES that have standards comparable
7 to the federal standards promulgated under 49 C.F.R. CFR part 396.

8 (8) THE DEPARTMENT MAY CONDUCT A REVIEW OF A MOTOR VEHICLE
9 REPAIR FACILITY TO DETERMINE IF THE FACILITY IS CAPABLE OF
10 CONDUCTING OR IS CURRENTLY CONDUCTING LIMOUSINE INSPECTIONS
11 ACCORDING TO DEPARTMENT SPECIFICATIONS AND STANDARDS. IF THE
12 DEPARTMENT FINDS THAT A MOTOR VEHICLE REPAIR FACILITY IS NOT
13 CONDUCTING LIMOUSINE INSPECTIONS ACCORDING TO DEPARTMENT
14 SPECIFICATIONS AND STANDARDS, THE DEPARTMENT MAY DECLINE TO ACCEPT
15 INSPECTIONS FROM THAT FACILITY AS VALID INSPECTIONS.

16 (9) A MOTOR CARRIER SHALL MAINTAIN A COPY OF A CURRENT VALID
17 INSPECTION REPORT ON BOARD EACH LIMOUSINE OR BUS AT ALL TIMES, AND
18 THE REPORT SHALL BE MADE AVAILABLE FOR REVIEW UPON DEMAND BY AN
19 AUTHORIZED FEDERAL, STATE, OR LOCAL OFFICIAL.

20 (10) IF THE DEPARTMENT HAS REASONABLE CAUSE TO BELIEVE THAT A
21 LIMOUSINE OR BUS IS UNSAFE FOR OPERATION OR HAS NOT BEEN INSPECTED
22 AS REQUIRED BY THIS ACT OR RULES PROMULGATED UNDER THIS ACT, A
23 DEPARTMENT SAFETY INSPECTOR MAY INSPECT THE LIMOUSINE OR BUS. IF
24 THE LIMOUSINE OR BUS IS NOT IN COMPLIANCE WITH THIS ACT, THE
25 DEPARTMENT MAY REQUIRE THE MOTOR CARRIER TO PLACE THE LIMOUSINE OR
26 BUS OUT OF SERVICE UNTIL ALL VIOLATIONS HAVE BEEN CORRECTED OR
27 ELIMINATED.

1 (11) UPON SATISFACTORY COMPLETION OF A VALID INSPECTION OF A
2 LIMOUSINE OR BUS AS REQUIRED BY THIS ACT AND PAYMENT OF ALL
3 REQUIRED FEES BY THE MOTOR CARRIER, THE DEPARTMENT SHALL ISSUE A
4 DECAL INDICATING THE EXPIRATION DATE OF THE INSPECTION FOR THAT
5 LIMOUSINE OR BUS. A DECAL ISSUED UNDER THIS SUBSECTION IS PROPERTY
6 OF THIS STATE. A MOTOR CARRIER SHALL NOT USE A LIMOUSINE OR BUS
7 DISPLAYING AN EXPIRED DECAL TO PROVIDE FOR-HIRE PASSENGER SERVICE.

8 (12) A MOTOR CARRIER SHALL NOT OPERATE A LIMOUSINE OR BUS OVER
9 THE PUBLIC HIGHWAYS OF THIS STATE IF THAT LIMOUSINE OR BUS DOES NOT
10 HAVE A PROPERLY DISPLAYED CURRENT DECAL ISSUED BY THE DEPARTMENT
11 UNDER SUBSECTION (11).

12 (13) THE DEPARTMENT MAY REQUIRE A MOTOR CARRIER TO RETURN A
13 DECAL ISSUED UNDER SUBSECTION (11) TO THE DEPARTMENT IF THE
14 LIMOUSINE OR BUS UPON WHICH THAT DECAL WAS DISPLAYED IS REMOVED
15 FROM THE MOTOR CARRIER'S ROSTER BY THE DEPARTMENT OR THE MOTOR
16 CARRIER. A MOTOR CARRIER THAT FAILS TO RETURN A DECAL WITHIN 30
17 DAYS AFTER A REQUEST BY THE DEPARTMENT SHALL PAY A \$50.00 FEE.

18 (14) THE DEPARTMENT MAY WAIVE THE INSPECTION AND RENEWAL
19 REQUIREMENTS OF THIS ACT FOR A LIMOUSINE OR A BUS THAT IS NOT BEING
20 USED IN THIS STATE FOR A MOTOR CARRIER THAT IS LOCATED OUTSIDE OF
21 THIS STATE IF THE MOTOR CARRIER SUBMITS A ROSTER THAT INDICATES
22 WHICH OF ITS VEHICLES WILL BE USED EXCLUSIVELY OUTSIDE OF THIS
23 STATE FOR AT LEAST 1 YEAR. THE ROSTER MUST BE SUBMITTED BEFORE THE
24 AFFECTED VEHICLE CEASES TO COMPLY WITH THIS ACT. THE MOTOR CARRIER
25 MAY PUT THE LIMOUSINE OR BUS BACK INTO SERVICE IN THIS STATE AFTER
26 AT LEAST 1 YEAR BY SUBMITTING A REVISED ROSTER AND COMPLYING WITH
27 ALL OTHER PROVISIONS OF THIS ACT.

1 (15) UNTIL JULY 1, 2015, AN INSPECTION THAT WAS CONDUCTED IN
2 ACCORDANCE WITH THIS ACT OR THE LIMOUSINE TRANSPORTATION ACT, 1990
3 PA 271, MCL 257.1901 TO 257.1939, BEFORE JULY 1, 2015 SHALL BE
4 CONSIDERED A VALID INSPECTION.

5 Sec. 17. (1) AN APPLICANT FOR AN ORIGINAL ANNUAL CERTIFICATE
6 SHALL PAY TO THE DEPARTMENT A FILING FEE OF \$300.00 AND A FEE OF
7 \$50.00 TIMES THE NUMBER OF LIMOUSINES OR \$100.00 TIMES THE NUMBER
8 OF BUSES TO BE USED BY THE APPLICANT TO PROVIDE TRANSPORTATION FOR
9 HIRE UNDER THIS ACT. THE APPLICANT SHALL SUBMIT ITS ROSTER TO THE
10 DEPARTMENT AT THE TIME OF PAYMENT.

11 (2) ~~(1) Each~~ A CERTIFICATE ISSUED UNDER THIS ACT EXPIRES ON
12 MARCH 1 OF EACH YEAR. NO LATER THAN THE LAST DAY OF FEBRUARY EACH
13 YEAR, A motor carrier ~~of passengers who~~ THAT holds a certificate ~~of~~
14 ~~authority~~ issued under this act shall pay to the department an
15 annual renewal fee equal to ~~\$25.00~~ \$50.00 times the number of motor
16 LIMOUSINES AND \$100.00 TIMES THE NUMBER OF buses ~~used exclusively~~
17 ~~by the carrier to provide transportation of passengers for hire and~~
18 ~~that meet the annual renewal inspection requirements of section 16.~~
19 ~~An annual renewal fee of \$500.00 shall be paid for any motor bus~~
20 ~~not meeting the annual renewal inspection requirement of section~~
21 ~~16.~~ SUBJECT TO THIS ACT. THE MOTOR CARRIER SHALL SUBMIT ITS ROSTER
22 TO THE DEPARTMENT AT THE TIME OF PAYMENT. THE DEPARTMENT MAY
23 REQUIRE A CARRIER TO SUBMIT ADDITIONAL DOCUMENTATION AS PART OF THE
24 ANNUAL RENEWAL PROCESS TO ENSURE COMPLIANCE WITH THIS ACT.

25 (3) ~~(2) A motor carrier of passengers who~~ THAT holds a
26 certificate ~~of authority~~ issued under this act ~~to provide~~
27 ~~transportation for hire~~ THAT WISHES TO HAVE ADDITIONAL LIMOUSINES

1 OR BUSES AUTHORIZED UNDER ITS CERTIFICATE BETWEEN ANNUAL RENEWAL
2 PERIODS shall pay to the department a fee of ~~\$25.00 per motor bus~~
3 ~~for each additional motor bus acquired during the year for the~~
4 ~~purpose of the current year inspection required by section~~
5 ~~16.~~ \$50.00 TIMES THE NUMBER OF LIMOUSINES BEING ADDED TO ITS ROSTER
6 AND \$100.00 TIMES THE NUMBER OF BUSES BEING ADDED TO ITS ROSTER.
7 THE MOTOR CARRIER SHALL SUBMIT ITS UPDATED ROSTER TO THE DEPARTMENT
8 AT THE TIME OF PAYMENT. A MOTOR CARRIER SHALL ENSURE THAT EACH
9 LIMOUSINE OR BUS ADDED TO A ROSTER UNDER THIS SUBSECTION COMPLIES
10 WITH ALL REQUIREMENTS OF THIS ACT.

11 ~~—— (3) All certificates granted by the department terminate on~~
12 ~~the last day of February of each year unless renewed on or before~~
13 ~~that date with payment of the fee prescribed by subsection (1). The~~
14 ~~certificate of any motor carrier of passengers who is delinquent in~~
15 ~~payment of fees required to be paid by this section is canceled and~~
16 ~~revoked on or after March 1 of the year for which renewal should~~
17 ~~have been made pursuant to the requirements of this section, and~~
18 ~~the motor carrier of passengers shall be prohibited from operating~~
19 ~~any of its vehicles upon or over the highways of this state. All~~
20 ~~privileges granted the motor carrier of passengers under the~~
21 ~~expiring certificate shall cease.~~

22 (4) A MOTOR CARRIER THAT REQUESTS TO PLACE BACK ON ITS ROSTER
23 A LIMOUSINE OR BUS THAT WAS PREVIOUSLY REMOVED FROM ITS ROSTER UPON
24 REQUEST OF THE MOTOR CARRIER OR BY ACTION OF THE DEPARTMENT SHALL
25 PAY A REINSTATEMENT FEE OF \$100.00 IN ADDITION TO THE ANNUAL
26 RENEWAL FEE FOR THAT LIMOUSINE OR BUS.

27 (5) THE CERTIFICATE OF A MOTOR CARRIER THAT DOES NOT COMPLY

1 WITH THIS SECTION SHALL BE AUTOMATICALLY REVOKED ON MARCH 1, AND
2 THE MOTOR CARRIER MUST APPLY FOR AND BE ISSUED A NEW CERTIFICATE
3 BEFORE RESUMING SERVICE.

4 Sec. 23. ~~If there~~ **THE DEPARTMENT MAY GRANT AN EMERGENCY**
5 **CERTIFICATE TO A MOTOR CARRIER IF THERE** is an immediate and urgent
6 need for the transportation of passengers to a point or between
7 points within this state. ~~, the department may grant upon a proper~~
8 ~~application temporary authority for that service by a person having~~
9 ~~a certificate of authority or by an applicant for a certificate of~~
10 ~~authority. A temporary authority~~ **AN EMERGENCY CERTIFICATE** granted
11 by the department under this section, unless suspended or revoked
12 for good cause, ~~shall be~~ **IS** valid for the time ~~which~~ **SPECIFIED BY**
13 the department. ~~specifies, but not to exceed 90 days.~~ **THE DEPARTMENT**
14 **MAY WAIVE ANY OR ALL FEES OR OTHER REQUIREMENTS OF THIS ACT FOR A**
15 **CERTIFICATE GRANTED UNDER THIS SECTION.**

16 Sec. 27. (1) A motor carrier ~~of passengers~~ holding a
17 certificate ~~of authority~~ for regular route service between points
18 within this state ~~may apply~~ **SHALL NOTIFY THE DEPARTMENT IN WRITING**
19 **IF IT PLANS** to discontinue all or a portion of its service under
20 ~~this~~ **ITS** certificate. ~~of authority by filing written application~~
21 ~~with the department, payment of the fees described in section 25,~~
22 ~~and within~~ **WITHIN** 10 days after filing **NOTIFYING** the application
23 **DEPARTMENT, THE CARRIER SHALL** publish notice of the application
24 **DISCONTINUATION OF SERVICE** once a day for 2 different days in a
25 newspaper of general circulation published in each county to which
26 the service proposed to be discontinued extends. Within 20 days
27 after the last date of publication, any person opposing the

~~application~~ **DISCONTINUATION OF SERVICE** shall file **A** written notice of protest with the department. If the ~~application~~ **DISCONTINUATION OF SERVICE** is not opposed, the motor carrier ~~of passengers~~ holding a certificate ~~of authority~~ may immediately discontinue the service. If the ~~application~~ **DISCONTINUATION OF SERVICE** is opposed, the department, within 20 days, **DAYS AFTER RECEIVING THE LETTER OF OPPOSITION**, may conduct a hearing on the ~~application~~, **PROPOSED DISCONTINUATION OF SERVICE**, with at least 10 days' notice to all interested parties.

(2) The department shall ~~grant an application for authority to discontinue if the applicant demonstrates that intrastate revenue per mile derived from the route or routes proposed to be discontinued is less than the fully allocated cost per mile including depreciation.~~ **SUBMIT A RECOMMENDATION TO A MOTOR CARRIER WITHIN 90 DAYS AFTER RECEIVING A NOTICE OF DISCONTINUATION UNDER SUBSECTION (1).** If the ~~department's~~ **DEPARTMENT DOES NOT ISSUE A** final ~~determination on the application is not issued~~ **RECOMMENDATION** within 90 days after the last date of publication, the applicant may discontinue the service described in the ~~application.~~ **NOTIFICATION.**

~~—— (3) A motor carrier of passengers holding a certificate of authority for service within this state other than regular route service may apply to discontinue all or a portion of its service under this certificate of authority by filing written application with the department and payment of the fees as described in section 25.~~

Sec. 29. ~~(1) A motor carrier of passengers authorized to~~

1 provide ~~transportation~~ **REGULAR ROUTE** service under this act shall
 2 not abandon or discontinue a service established under this act
 3 without the approval of **NOTIFICATION TO** the department, ~~except, if~~
 4 ~~applicable, as provided in section 27(2).~~ **AS DESCRIBED IN SECTION**
 5 **27.** If a motor carrier ~~of passengers~~ discontinues service for more
 6 than 10 days without the previous approval of **NOTIFICATION TO** the
 7 department, ~~authorizing the discontinuance,~~ the certificate of
 8 authority issued to that carrier shall be ~~considered~~ **AUTOMATICALLY**
 9 revoked without any further action ~~upon the part of~~ **BY** the
 10 department.

11 ~~—— (2) If the insurance coverage required under this act is~~
 12 ~~canceled for any reason, the certificate of authority issued to~~
 13 ~~that carrier shall be considered revoked without any further action~~
 14 ~~by the department.~~

15 Sec. 32. The department may use any and all available legal
 16 and equitable remedies of a civil nature to enforce this act, an
 17 order issued, or a rule promulgated pursuant to this act. The
 18 department may employ ~~such~~ experts, assistants, inspectors, and
 19 other personnel as ~~may be~~ necessary subject to civil service rules,
 20 to enable it to administer and enforce this act. An employee of the
 21 department shall not ask **FOR** or receive any fee from a person for
 22 the taking of acknowledgments or any other service. State and local
 23 police officers shall enforce this act and the rules promulgated
 24 pursuant to this act. A peace officer may arrest, on sight or upon
 25 warrant, any person found violating or having violated a provision
 26 of this act or a rule promulgated pursuant to this act. The
 27 attorney general of the ~~THIS~~ state and the prosecuting attorneys of

1 the counties of this state shall prosecute all violations of this
 2 act. ~~When~~ **A VIOLATION OF** this act ~~is violated, the offense may be~~
 3 prosecuted in any jurisdiction in or through which a ~~motor~~ **THE**
 4 **LIMOUSINE OR** bus implicated was present at the time of the
 5 violation.

6 Sec. 33. A person subject to this act who operates a passenger
 7 service without obtaining a certificate ~~of authority~~ required under
 8 this act or without meeting the insurance requirements provided in
 9 this act shall be subject to a fine of not more than \$500.00. Each
 10 violation constitutes a separate offense.

11 Sec. 34. A motor carrier, ~~of passengers,~~ or an officer or
 12 agent of a motor carrier, ~~of passengers, who~~ **THAT** requires or
 13 permits a driver or operator to drive or operate a ~~motor~~ **LIMOUSINE**
 14 **OR** bus in violation of this act, or a rule promulgated under this
 15 act, is guilty of a misdemeanor ~~,~~ punishable by a fine of not more
 16 than \$500.00 ~~,~~ or by imprisonment for not more than 90 days, or
 17 both.

18 Sec. 35. The department may alter, suspend, or revoke a
 19 certificate ~~of authority~~ issued under this act if the department
 20 determines in a contested case hearing held ~~pursuant to~~ **UNDER**
 21 chapter 4 of the administrative procedures act of 1969, ~~Act No. 306~~
 22 ~~of the Public Acts of 1969, as amended, being sections 1969 PA 306,~~
 23 **MCL 24.271 to 24.287, of the Michigan Compiled Laws,** that a person
 24 **MOTOR CARRIER** to whom ~~WHICH~~ a certificate ~~of authority~~ has been
 25 issued has willfully violated or refused to comply with this act.

26 **SEC. 38. THIS ACT DOES NOT PROHIBIT A COUNTY, CITY, TOWNSHIP,**
 27 **AUTHORITY, OR VILLAGE FROM ADOPTING RULES OR AN ORDINANCE OR**

1 RESOLUTION THAT IS MORE RESTRICTIVE THAN THE PROVISIONS OF THIS
2 ACT.

3 Sec. 39. The department may promulgate rules to implement this
4 act pursuant to the administrative procedures act of 1969, ~~Act No.~~
5 ~~306 of the Public Acts of 1969, as amended, being sections 1969 PA~~
6 ~~306, MCL 24.201 to 24.328. of the Michigan Compiled Laws.~~

7 Enacting section 1. Sections 6, 11, 13, 21, 25, 31, and 41 of
8 the motor bus transportation act, 1982 PA 432, MCL 474.106,
9 474.111, 474.113, 474.121, 474.125, 474.131, and 474.141, are
10 repealed.

11 Enacting section 2. The limousine transportation act, 1990 PA
12 271, MCL 257.1901 to 257.1939, is repealed.