

SENATE BILL NO. 1203

October 13, 2022, Introduced by Senator HERTEL and referred to the Committee on Appropriations.

A bill to amend 2016 PA 345, entitled "Limousine, taxicab, and transportation network company act," by amending section 4 (MCL 257.2104), as amended by 2019 PA 72.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) A limousine carrier, taxicab carrier, or
2 transportation network company shall not operate in this state
3 without first having registered with the department under this act.
4 (2) An application for registration ~~shall~~**must** be made on a
5 form provided by the department and accompanied by a fee of \$25.00
6 if the applicant registers 10 or fewer vehicles under this section,

1 a fee of \$50.00 if the applicant registers between 11 and 25
2 vehicles under this section, and a **fee of** \$100.00 ~~application fee~~
3 if the applicant registers more than 25 vehicles under this
4 section.

5 (3) The department shall issue a registration to an applicant
6 that meets the requirements of this act and pays the application
7 fee described in subsection (2) and an annual registration fee of
8 \$100.00 for the first vehicle registered under this act and \$50.00
9 per vehicle for the second through ninth vehicles registered under
10 this act. If the applicant registers more than 9 vehicles under
11 this act, the applicant shall pay a registration fee according to
12 the following schedule:

13	10 vehicles.....	\$ 550.00
14	11 to 25 vehicles.....	\$ 1,000.00
15	26 to 100 vehicles.....	\$ 2,500.00
16	101 to 500 vehicles.....	\$ 5,000.00
17	501 to 1,000 vehicles.....	\$10,000.00
18	More than 1,000 vehicles.....	\$30,000.00

19 The department shall expend money received from registration
20 fees under this subsection to defray the costs of enforcing and
21 administering this act.

22 (4) Fees collected by the department under this act ~~shall~~**must**
23 be retained by the department to enforce and administer this act,
24 and ~~shall~~**do** not lapse to the general fund.

25 (5) To obtain a registration under this act, a limousine
26 carrier, taxicab carrier, or transportation network company ~~shall~~
27 **must** submit an application, on a form developed by the department,
28 to the department that includes all of the following information:

29 (a) Proof that the applicant has satisfied the insurance

1 requirements of this act.

2 (b) Whether the applicant is an individual, a sole
3 proprietorship, a partnership, a corporation, a limited liability
4 company, or other type of business entity. An applicant that is a
5 sole proprietorship or a general partnership ~~shall~~**must** be
6 registered at the county level and shall provide to the department
7 a copy of its certificate of conducting business under an assumed
8 name or certificate of co-partnership. If the applicant is a
9 business entity, the applicant ~~shall~~**must** be a Michigan entity in
10 good standing or a foreign entity that has a certificate of
11 authority and is authorized to do business in this state, and shall
12 provide to the department its full legal name, a copy of its
13 articles of incorporation, articles of organization, or certificate
14 of authority, and its federal employer identification number.

15 (c) The name, telephone number, mailing address, and
16 ~~electronic mail~~**email** address of a designated contact person for
17 the applicant.

18 (d) The number of vehicles the applicant operates, according
19 to the following schedule:

20 (i) Zero to 10.

21 (ii) 11 to 25.

22 (iii) 26 to 100.

23 (iv) 101 to 500.

24 (v) 501 to 1,000.

25 (vi) More than 1,000.

26 (e) If applicable, proof that the applicant has satisfied any
27 penalties or conditions imposed by disciplinary action in this
28 state.

29 (6) A registration granted under this section expires on

1 August 31 of each year. The department shall renew a registration
2 granted under this section upon payment of the annual registration
3 fee provided for in subsection (3) and receipt of a completed
4 renewal form provided by the department. The department may request
5 any additional information it ~~deems~~**considers** necessary for the
6 administration of this act at the time of renewal.

7 (7) The department may audit the records of a registrant under
8 this act, including, but not limited to, conducting a random sample
9 of the registrant's records related to drivers, subject to all of
10 the following:

11 (a) The audit described in this subsection may be conducted no
12 more than 2 times per year.

13 (b) The audit may take place at a third-party location agreed
14 upon by the department and the registrant.

15 (8) Subject to subsection (9), records obtained by the
16 department or filed under this act, including a record contained in
17 or filed with an application or report, are public records and
18 ~~shall~~**must** be made available for public examination.

19 (9) All of the following records are not public record and
20 ~~shall~~**must** not be made available for public examination as provided
21 in subsection (8):

22 (a) A record obtained by the department in connection with an
23 audit required under subsection (7).

24 (b) Part of a report prepared in connection with an audit
25 under subsection (7) that contains trade secrets or confidential
26 information, if the registrant has asserted a claim of
27 confidentiality or privilege that is authorized by law.

28 (c) A record that is not required to be provided to the
29 department or filed under this act and is provided to the

1 department only on the condition that the record will not be
2 subject to public examination or disclosure.

3 (10) Unless otherwise provided by this act or rules
4 promulgated under this act, an applicant for registration under
5 this act shall complete all requirements for registration within 1
6 year after receipt of the registration application by the
7 department or mailing of a notice of an incomplete registration to
8 the last known address on file with the department, whichever is
9 later. If the applicant does not complete the requirements of this
10 act within the time period provided in this subsection, any fees
11 paid by the applicant are forfeited to the department and the
12 application for registration is void. An applicant whose
13 application is void under this subsection and who wishes to
14 register under this act shall submit a new application and fees and
15 shall meet the standards in effect on the date of receipt by the
16 department of the new application for registration.

17 (11) Beginning ~~March 21, 2023,~~ **September 30, 2027**, the
18 department shall cease to impose the fees provided for in this
19 section.