

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

***** 257.312e.amended THIS AMENDED SECTION IS EFFECTIVE JULY 8, 2015 *****

257.312e.amended Operation of commercial motor vehicle; vehicle group designation; tests; holder of unexpired operator's or chauffeur's license; qualifications and fees for vehicle group designation and indorsement; operation of school bus; exceptions; F vehicle indorsement; knowledge test and driving skills test; disposition of money collected under subsection (7); refund to county or municipality; compliance with MCL 257.303 and 257.319b; requirements for implementing and enforcing federal law.

Sec. 312e. (1) Except as otherwise provided in this section, a person, before operating a commercial motor vehicle, shall obtain the required vehicle group designation as follows:

(a) A person, before operating a combination of motor vehicles with a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of towed units with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, shall procure a group A vehicle designation on his or her operator's or chauffeur's license. Unless an indorsement or the removal of restrictions is required, a person licensed to operate a group A vehicle may operate a group B or C vehicle without taking another test.

(b) A person, before operating a single vehicle having a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater, including while towing a vehicle having a gross vehicle weight rating or gross vehicle weight of not more than 10,000 pounds, shall procure a group B vehicle designation on his or her operator's or chauffeur's license. Unless an indorsement or the removal of restrictions is required, a person licensed to operate a group B vehicle may operate a group C vehicle without taking another test.

(c) A person, before operating a single vehicle or a combination of vehicles that fits the definition of small vehicle (group C) under 49 CFR 383.91(a)(3) shall procure a group C vehicle designation and a hazardous material or passenger vehicle indorsement on his or her operator's or chauffeur's license.

(2) An applicant for a vehicle group designation shall take knowledge and driving skills tests that comply with minimum federal standards prescribed in 49 CFR part 383 as required under this act.

(3) The license shall be issued, suspended, revoked, canceled, or renewed in accordance with this act.

(4) Except as provided in this subsection, all of the following apply:

(a) If a person operates a group B passenger vehicle while taking his or her driving skills test for a P indorsement, he or she is restricted to operating only group B or C passenger vehicles under that P indorsement. If a person operates a group B school bus while taking his or her driving skills test for an S indorsement, he or she is restricted to operating only group B or C school buses under that S indorsement. Except as provided in this section, beginning on the effective date of the amendatory act that added this sentence, the secretary of state shall place on the commercial learner's permit or commercial driver license the following restriction code as provided under 49 CFR 383.95 and 383.153: not valid to operate a group A passenger commercial motor vehicle.

(b) If a person operates a group C passenger vehicle while taking his or her driving skills test for a P indorsement, he or she is restricted to operating only group C passenger vehicles under that P indorsement. If a person operates a group C school bus while taking his or her driving skills test for an S indorsement, he or she is restricted to operating only group C school buses under that S indorsement. Except as provided in this section, beginning on the effective date of the amendatory act that added this sentence, the secretary of state shall place on the commercial learner's permit or commercial driver license the following restriction code as provided under 49 CFR 383.95 and 383.153: not valid to operate a group A or group B passenger commercial motor vehicle.

(c) A person who fails the air brake portion of the written or driving skills test provided under section 312f or who takes the driving skills test provided under that section in a commercial motor vehicle that is not equipped with air brakes shall not operate a commercial motor vehicle equipped with air brakes. Except as provided in this section, beginning on the effective date of the amendatory act that added this sentence, the secretary of state shall place on the commercial learner's permit or commercial driver license the following restriction code as provided under 49 CFR 383.95 and 383.153: CDL not valid for vehicle with air brakes.

(d) Except as provided in this section, beginning on the effective date of the amendatory act that added this subdivision, the secretary of state shall place on a commercial learner's permit or commercial driver license the following restriction codes as provided under 49 CFR 383.95 and 383.153:

(i) For a commercial learner's permit:

- (A) No passengers in a commercial motor vehicle bus.
- (B) No cargo in a commercial motor vehicle tank vehicle.
- (C) Commercial motor vehicle operation with medical variance.
- (D) Commercial motor vehicle operation intrastate only.
- (ii) For a commercial driver license:
 - (A) Not valid to operate commercial motor vehicle equipped with full air brakes.
 - (B) Not valid to operate commercial motor vehicle equipped with manual transmission.
 - (C) Not valid to operate a group A commercial vehicle tractor-trailer combination connected by fifth wheel.
 - (D) Commercial motor vehicle operation intrastate only.
 - (E) Commercial motor vehicle operation with medical variance.
- (5) A person, before operating a commercial motor vehicle, shall obtain the following vehicle endorsements as provided under 49 CFR 383.93 and 383.153:
 - (a) A person, before operating a commercial motor vehicle pulling double trailers, shall obtain the appropriate vehicle group designation and a T vehicle endorsement under this act.
 - (b) A person applying for a commercial learner's permit to operate an empty tank motor vehicle shall obtain the appropriate vehicle group designation and an N endorsement. A person, before operating a tank motor vehicle, shall have on a commercial driver license the appropriate vehicle group designation and an N vehicle endorsement under this act.
 - (c) A person, before operating a commercial motor vehicle carrying hazardous materials on which a placard is required under 49 CFR parts 100 to 199, shall procure the appropriate vehicle group designation and an H vehicle endorsement under this act.
 - (d) A person, before operating a tank motor vehicle carrying hazardous materials, shall obtain the appropriate vehicle group designation and both an N and H vehicle endorsement, which shall be designated by the code letter X on the person's operator's or chauffeur's license.
 - (e) A person applying for a commercial learner's permit to operate a passenger commercial motor vehicle that is not a school bus, as set forth in section 306a(2)(e), shall obtain the appropriate commercial vehicle group designation and a P endorsement. A person, before operating a vehicle that is designed to transport 16 or more passengers including the driver but that is not a school bus shall have on a commercial driver license the appropriate vehicle group designation and a P vehicle endorsement under this act. An applicant for a P vehicle endorsement shall take the driving skills test in a vehicle designed to transport 16 or more passengers including the driver.
 - (f) A person applying for a commercial learner's permit to operate a school bus designed to transport 16 or more passengers, including the driver, as set forth in section 306a(2)(e), who does not currently possess a P endorsement, shall obtain the appropriate vehicle group designation and pass the knowledge tests for both the P and S endorsements. A person, before operating a school bus, shall have on a commercial driver license the appropriate vehicle group designation and both the P and S vehicle endorsements under this act. An applicant for an S vehicle endorsement shall take a driving skills test in a school bus designed to transport 16 or more passengers, including the driver, that represents the same type of vehicle that the applicant intends to operate as a school bus.
 - (g) A person who currently possesses a P endorsement and is applying for a commercial learner's permit to operate a school bus designed to transport 16 or more passengers, including the driver, as set forth in section 306(a)(2)(e), shall obtain the appropriate vehicle group designation and pass the knowledge test for the S endorsement. A person who currently possesses a P endorsement, before operating a school bus designed to transport 16 or more passengers, including the driver, shall obtain the appropriate vehicle group designation, pass the knowledge test for an S endorsement, and obtain an S vehicle endorsement for his or her commercial driver license under this act. An applicant for an S vehicle endorsement shall take a driving skills test in a school bus designed to transport 16 or more passengers, including the driver, that represents the same type of vehicle that the applicant intends to operate as a school bus.
- (6) An applicant for an endorsement shall take the knowledge and driving skills tests described and required under 49 CFR part 383.
- (7) The holder of an unexpired operator's or chauffeur's license may be issued a vehicle group designation and endorsement valid for the remainder of the license upon meeting the qualifications of section 312f and payment of the original vehicle group designation fee of \$25.00 and an endorsement fee of \$5.00 per endorsement, and a corrected license fee of \$18.00. A person required to procure an F vehicle endorsement under subsection (9) shall pay an endorsement fee of \$5.00.
- (8) Except as otherwise provided in subsections (9) and (10), this section does not apply to a driver or operator of a vehicle under all of the following conditions:

(a) The vehicle is controlled and operated by a farmer or an employee or family member of the farmer.
(b) The vehicle is used to transport agricultural products, farm machinery, farm supplies, or a combination of these items, to or from a farm.

(c) The vehicle is not used in the operation of a common or contract motor carrier.

(d) The vehicle is operated within 150 miles of the farm.

(9) A person, before driving or operating a combination of vehicles having a gross vehicle weight rating of 26,001 pounds or more on the power unit that is used as described in subsection (8)(a) to (d), shall obtain an F vehicle indorsement. The F vehicle indorsement shall be issued upon successful completion of a knowledge test only.

(10) A person, before driving or operating a single vehicle truck having a gross vehicle weight rating of 26,001 pounds or more or a combination of vehicles having a gross vehicle weight rating of 26,001 pounds or more on the power unit that is used as described in subsection (8)(a) to (d) for carrying hazardous materials on which a placard is required under 49 CFR parts 100 to 199, shall successfully complete both a knowledge test and a driving skills test. Upon successful completion of the knowledge test and driving skills test, the person shall be issued the appropriate vehicle group designation and any vehicle indorsement necessary under this act.

(11) This section does not apply to a police officer operating an authorized emergency vehicle or to a firefighter operating an authorized emergency vehicle who has met the driver training standards published under the firefighters training council act, 1966 PA 291, MCL 29.361 to 29.377.

(12) This section does not apply to a person operating a vehicle used exclusively to transport personal possessions or family members for nonbusiness purposes.

(13) The money collected under subsection (7) for a vehicle group designation or indorsement shall be deposited in the state treasury to the credit of the general fund. The secretary of state shall refund out of the fees collected to each county or municipality acting as an examining officer or examining bureau \$3.00 for each applicant examined for a first designation or indorsement to an operator's or chauffeur's license and \$1.50 for each renewal designation or indorsement to an operator's or chauffeur's license, whose application is not denied, on the condition that the money refunded shall be paid to the county or local treasurer and is appropriated to the county, municipality, or officer or bureau receiving that money for the purpose of carrying out this act.

(14) Notwithstanding any other provision of this section, a person operating a vehicle described in subsections (8) and (9) is subject to the provisions of sections 303 and 319b.

(15) This state shall comply with the requirements of the American Association of Motor Vehicle Administrators' AAMVANet, Incorporated's "Commercial Driver License Information System (CDLIS) State Procedures Manual" that the secretary of state determines are required for implementing and enforcing federal law.

History: Add. 1978, Act 139, Eff. May 1, 1979;—Am. 1980, Act 1, Imd. Eff. Jan. 25, 1980;—Am. 1980, Act 123, Imd. Eff. May 21, 1980;—Am. 1980, Act 174, Imd. Eff. June 23, 1980;—Am. 1987, Act 232, Imd. Eff. Dec. 28, 1987;—Am. 1988, Act 346, Eff. Jan. 1, 1990;—Am. 1989, Act 280, Imd. Eff. Dec. 26, 1989;—Am. 1989, Act 299, Imd. Eff. Jan. 3, 1990;—Am. 1990, Act 67, Imd. Eff. Apr. 27, 1990;—Am. 1990, Act 181, Imd. Eff. July 18, 1990;—Am. 1991, Act 100, Eff. Jan. 1, 1993;—Am. 2000, Act 158, Imd. Eff. June 14, 2000;—Am. 2002, Act 534, Eff. Oct. 1, 2002;—Am. 2002, Act 652, Eff. Jan. 1, 2003;—Am. 2003, Act 152, Eff. Oct. 1, 2003;—Am. 2004, Act 362, Imd. Eff. Oct. 4, 2004;—Am. 2006, Act 212, Imd. Eff. June 19, 2006;—Am. 2006, Act 298, Imd. Eff. July 20, 2006;—Am. 2011, Act 159, Imd. Eff. Sept. 30, 2011;—Am. 2015, Act 11, Eff. July 8, 2015.

Compiler's note: Section 2 of Act 346 of 1988 provides:

“(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

“(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

“(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act.”

Section 2 of Act 173 of 1989 provides:

“(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

“(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed.”