



# HOUSE BILL No. 5852

May 7, 1996, Introduced by Rep. London and referred to the Committee on Transportation.

A bill to amend section 31 of Act No. 432 of the Public Acts of 1982, entitled "Motor bus transportation act," as added by Act No. 233 of the Public Acts of 1989, being section 474.131 of the Michigan Compiled Laws.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 31 of Act No. 432 of the Public Acts of  
2 1982, as added by Act No. 233 of the Public Acts of 1989, being  
3 section 474.131 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 31. ~~The following federal motor carrier safety regu-~~  
6 ~~lations adopted by the United States department of transportation~~  
7 ~~and in effect on the effective date of this section are adopted~~  
8 ~~by the department and shall be enforced in relation to motor~~  
9 ~~carriers of passengers: (a) 49 C. F. R. part 390, federal motor~~

1 ~~carrier safety regulations general, except 390.17 and 390.40.~~  
2 ~~(b) 49 C. F. R. part 391, qualifications of drivers, except~~  
3 ~~391.11 (b) (1). (c) 49 C. F. R. part 392, driving of motor vehi-~~  
4 ~~cles, except 392.16. (d) 49 C. F. R. part 393, parts and acces-~~  
5 ~~sories necessary for safe operations. (e) 49 C. F. R. part 395,~~  
6 ~~hours of service of drivers. (f) 49 C. F. R. part 396, inspec-~~  
7 ~~tion, repair and maintenance.~~ THIS STATE HEREBY ADOPTS THE FOL-  
8 LOWING PROVISIONS OF TITLE 49 OF THE CODE OF FEDERAL REGULATIONS  
9 AS OF JANUARY 1, 1996, ON FILE WITH THE OFFICE OF THE SECRETARY  
10 OF STATE EXCEPT WHERE MODIFIED BY THIS ACT, TO PROVIDE FOR THE  
11 SAFE TRANSPORTATION OF PERSONS, WITH THE INTENT OF FOLLOWING THE  
12 POLICIES AND PROCEDURES OF THE UNITED STATES DEPARTMENT OF  
13 TRANSPORTATION'S FEDERAL HIGHWAY ADMINISTRATION AS THEY RELATE TO  
14 TITLE 49 OF THE CODE OF FEDERAL REGULATIONS AND THE NORTH  
15 AMERICAN UNIFORM DRIVER/VEHICLE INSPECTION STANDARDS (NAUD/VIS)  
16 OUT OF SERVICE CRITERIA AND INSPECTION PROCEDURES: MOTOR CARRIER  
17 SAFETY REGULATIONS, BEING 49 C.F.R. PART 382, PART 387, PARTS 390  
18 THROUGH 393, PARTS 395 THROUGH 397, AND 399 INCLUDING APPENDICES  
19 C, D, E, AND G, EXCEPT FOR THE FOLLOWING:

20 (A) WHERE THE TERMS "UNITED STATES DEPARTMENT OF  
21 TRANSPORTATION", "FEDERAL HIGHWAY ADMINISTRATION", "FEDERAL HIGH-  
22 WAY ADMINISTRATOR", "DIRECTOR", AND "BUREAU OF MOTOR CARRIER  
23 SAFETY" APPEAR, THEY SHALL BE CONSTRUED TO REFER TO THE STATE  
24 TRANSPORTATION DEPARTMENT.

25 (B) WHERE "INTERSTATE" APPEARS, IT SHALL MEAN INTRASTATE OR  
26 INTERSTATE, OR BOTH, AS APPLICABLE.

1           (C) WHERE "SPECIAL AGENT OF THE FEDERAL HIGHWAY  
2 ADMINISTRATION" OR "ADMINISTRATION PERSONNEL" APPEARS, EITHER  
3 SHALL BE CONSTRUED TO MEAN A PEACE OFFICER OR AN ENFORCEMENT  
4 MEMBER OR A COMMERCIAL VEHICLE SAFETY INSPECTOR OF THE STATE  
5 TRANSPORTATION DEPARTMENT.