

# HOUSE BILL No. 4857

June 2, 2005, Introduced by Reps. LaJoy, Moore, Wenke, Nitz, Casperson, Gosselin, David Law, Pavlov, Anderson and Pearce and referred to the Committee on Transportation.

A bill to amend 1982 PA 432, entitled  
"Motor bus transportation act,"  
by amending section 31 (MCL 474.131), as amended by 2001 PA 129.

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

1           Sec. 31. This state ~~hereby~~ adopts the following provisions  
2 of title 49 of the code of federal regulations on file with the  
3 office of the secretary of state except where modified by this act,  
4 to provide for the safe transportation of persons, with the intent  
5 of following the policies and procedures of the United States  
6 department of transportation as they relate to title 49 of the code  
7 of federal regulations and the North American standard inspection  
8 uniform driver/vehicle inspection out of service criteria and  
9 inspection procedures: Motor carrier safety regulations, being 49

1 ~~C.F.R.~~ **CFR PART 356, PART 365**, part 374, part 382, part 387, parts  
2 390 through 393, and parts 395 through 397, including appendices B  
3 and G, except for the following:

4 (a) Where the terms "United States department of  
5 transportation", "federal highway administration", "federal highway  
6 administrator", "director", "bureau of motor carrier safety",  
7 "office of motor carrier safety", and "federal motor carrier safety  
8 administration" appear, they shall be construed to refer to the  
9 state transportation department.

10 (b) Where "interstate" appears, it means intrastate or  
11 interstate, or both, as applicable, except as otherwise  
12 specifically provided in this act.

13 (c) Where "special agent of the federal highway  
14 administration", "special agent of the office of motor carrier  
15 safety", "special agent of the federal motor carrier safety  
16 administration", or "administration personnel" appears, it shall be  
17 construed to mean a peace officer or an enforcement member or a  
18 commercial vehicle safety inspector of the state transportation  
19 department.

20 Enacting section 1. This amendatory act does not take effect  
21 unless all of the following bills of the 93rd Legislature are  
22 enacted into law:

23 (a) Senate Bill No.\_\_\_\_ or House Bill No. 4852(request no.  
24 02888'05).

25 (b) Senate Bill No.\_\_\_\_ or House Bill No. 4858(request no.  
26 02889'05).