

# HOUSE BILL No. 5340

September 10, 2009, Introduced by Reps. Tyler, Wayne Schmidt, DeShazor, Haines, Proos, Horn, Booher, Crawford, Paul Scott, Lund, Denby, Kowall, Rick Jones, Green, Bolger, Caul, McMillin, Lori, Stamas, Daley, Calley, Agema, Marleau, Walsh, Knollenberg and Meltzer and referred to the Committee on Appropriations.

A bill to amend 1998 PA 138, entitled  
"Hazardous materials transportation act,"  
by amending section 2 (MCL 29.472).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2. As used in this act:

2       (a) "Base state" means the state selected by a motor carrier  
3 according to the procedures established by the uniform program.

4       (b) "Base state agreement" means the agreement between  
5 participating states electing to register or permit motor carriers.

6       (c) "Department" means the department of ~~environmental quality~~  
7 **NATURAL RESOURCES.**

8       (d) "Fund" means the hazardous materials transportation permit

1 fund created in section 5.

2 (e) "Hazardous materials" means any of the following:

3 (i) "Hazardous waste" as that term is defined in part 111 of  
4 the natural resources and environmental protection act, 1994 PA  
5 451, MCL 324.11101 to ~~324.11152~~ **324.11153**.

6 (ii) "Liquid industrial waste" as that term is defined in part  
7 121 of the natural resources and environmental protection act, 1994  
8 PA 451, MCL 324.12101 to 324.12118.

9 (f) "Motor carrier" means a person engaged in the  
10 transportation of hazardous materials by highway. Motor carrier  
11 includes a motor carrier's agents, officers, and representatives.  
12 Motor carrier does not include an individual operating under an  
13 exclusive lease to a motor carrier that is in compliance with this  
14 act.

15 (g) "Participating state" means a state electing to  
16 participate in the uniform program by entering a base state  
17 agreement.

18 (h) "Power unit" means a motor vehicle that provides motor  
19 power to the entire combination, or to the vehicle if a single  
20 unit.

21 (i) "Uniform application" means the uniform registration and  
22 permit application form established under the uniform program.

23 (j) "Uniform program" means the uniform state hazardous  
24 materials transportation registration and permit program  
25 established in the report submitted and amended pursuant to 49  
26 ~~U.S.C.~~ **USC** 5119(b).

27 Enacting section 1. This amendatory act does not take effect

- 1 unless Senate Bill No. 807 or House Bill No.\_\_\_\_ (request no.
- 2 04046'09) of the 95th Legislature is enacted into law.