



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 4577 (Substitute H-1 as passed by the House)  
Sponsor: Representative Dan Lauwers  
House Committee: Transportation and Infrastructure  
Senate Committee: Transportation

Date Completed: 3-16-16

**CONTENT**

**The bill would amend the Michigan Vehicle Code to allow the Secretary of State to renew a seasonal restricted vehicle group designation one time per calendar year regardless of whether the seasonal restricted vehicle group designation was expired at the time of renewal.**

Section 312e of the Code requires a person to obtain the required vehicle group designation before operating a commercial motor vehicle.

Section 312f of the Code regulates the issuance of vehicle group designations or endorsements. The section includes testing requirements but allows or requires the Secretary of State to waive testing under certain circumstances. Except for a person who has held an operator's or chauffeur's license for less than one year, the Secretary of State must waive the knowledge test and the driving skills test and issue a one-year seasonal restricted vehicle group designation to an otherwise qualified applicant to operate a group B or group C vehicle for a farm-related service industry if all of the following conditions are met:

- The applicant meets the requirements of 49 CFR 383.77 (which allows states to impose various conditions as a substitute for a driving skills test).
- The seasons for which the seasonal restricted vehicle group designation is issued are from April 2 to June 30 and from September 2 to November 30 only of a 12-month period or, at the option of the applicant, for no longer than 180 days from the date of issuance in a 12-month period.
- The commercial motor vehicle (CMV) for which the seasonal restricted vehicle group designation is issued is operated only on routes within 150 miles from the place of business to the farm or farms being served; the CMV does not transport a quantity of hazardous materials on which a placard is required under Federal regulations, except for certain quantities of diesel motor fuel, liquid fertilizers, or solid fertilizers that are not transported with any organic substance; and the CMV does not require the H, N, P, S, T, or X vehicle endorsement.

A seasonal restricted vehicle group designation under Section 312f must be issued, suspended, revoked, canceled, denied, or renewed in accordance with the Code. The bill would allow the Secretary of State to renew a seasonal restricted vehicle group designation one time per calendar year regardless of whether the designation was expired at the time of renewal.

The bill would take effect 90 days after enactment.

(A group B designation allows the operation of a single vehicle having a gross vehicle weight rating (GVWR) or gross vehicle weight (GVW) of 26,001 pounds or more, whichever is greater, including while towing a vehicle having a GVWR or GVW up to 10,000 pounds. A group C designation allows the operation of a single vehicle or a combination of vehicles that has a GVWR under 26,001 pounds and that either is designed to transport 16 or more passengers including the driver, or is used in the transportation of hazardous materials for the purposes of the Hazardous Materials Transportation Act, that require the motor vehicle to be placarded under the hazardous materials regulations.

The Code requires an H indorsement for the operation of a CMV carrying hazardous materials on which a placard is required. An N indorsement is required for the operation of a tank motor vehicle. The operation of a tank motor vehicle carrying hazardous materials requires both an H and an N indorsement as well as the letter X designation. A P indorsement is required for the operation of a passenger CMV that is not a school bus, or a vehicle designed to transport 16 or more passengers including the driver that is not a school bus. Both a P and an S indorsement are required for the operation of a school bus.

As used in Section 312f, "farm related service industry" means custom harvesters, farm retail outlets and suppliers, agri-chemical business, or livestock feeders.)

MCL 257.312f

Legislative Analyst: Drew Krogulecki

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.