



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 958 (as reported without amendment)  
Sponsor: Senator Wayne Schmidt  
Committee: Transportation

Date Completed: 6-8-16

### **RATIONALE**

The Labor Day Mackinac Bridge Walk is an annual event in which participants can walk across the five-mile Mackinac Bridge, one of the largest suspension bridges in the world. The event has taken place on Labor Day since 1959. Participants start in St. Ignace, located on the north side of the Mackinac Bridge, and walk to Mackinaw City. For participants who buy tickets in Mackinaw City, buses provided by the Mackinac Bridge Authority take them to St. Ignace before the walk. Those who buy tickets in St. Ignace are bused back to St. Ignace after they complete the walk.

The Mackinac Bridge Authority is responsible for planning and executing the event. Approximately 18 months ago, it was brought to the Authority's attention that the school buses used for the event were in violation of the Motor Bus Transportation Act, as they did not have a proper certificate of authority from the Department of Transportation. Since certifying those buses for the event would have been expensive, the alternative was to use certified buses from another school district. Evidently, this was an inconvenience because of the distance between that district and the Mackinac Bridge. To resolve this issue, it has been suggested that the Department be allowed to exempt from the Act the buses normally used in the Bridge Walk.

### **CONTENT**

**The bill would amend the Motor Bus Transportation Act to do the following:**

- Allow the Department to exempt from the Act a motor carrier that was providing transportation to or from a special event of statewide significance.**
- Allow the Department of Transportation to waive any or all applicable fees or requirements for an emergency certificate of authority issued to a motor carrier.**
- Delete a provision that limits the validity of an emergency certificate to 90 days.**

The Act prohibits a motor carrier of passengers from operating on a public highway in Michigan without first obtaining a certificate of authority from the Department. The Act prescribes the process of acquiring a certificate, and requires applicants for an original certificate of authority to pay a filing fee of \$300 and a fee of \$25 times the number of motor buses to be used by the carrier to provide transportation for hire. Annual renewal fees include a fee equal to \$25 times the number of motor buses that are used exclusively by the carrier to transport passengers for hire and that meet annual renewal inspection requirements; \$500 for any motor bus not meeting the annual renewal inspection; and \$25 for each additional motor bus acquired during the year for the purpose of the current-year inspection.

The bill would allow the Department to exempt from the Act a motor carrier that was providing transportation to or from a special event of statewide significance.

Currently, if there is an immediate and urgent need for the transportation of passengers to a point or between points within Michigan, the Department may grant on a proper application temporary authority for that service by a person having a certificate of authority or by an applicant for a

certificate of authority. A temporary authority granted by the Department, unless suspended or revoked for good cause, is valid for the time the Department specifies, but not more than 90 days.

Under the bill, the Department could grant an emergency certificate of authority to a motor carrier if there were an immediate and urgent need for the transportation of passengers to a point or between points within Michigan. An emergency certificate of authority granted by the Department, unless suspended or revoked for good cause, would be valid for the time specified by the Department.

The bill would allow the Department to waive any or all applicable fees or other requirements under the Act for an emergency certificate granted under these provisions.

("Motor carrier of passengers" means a person who, either directly or through any device or arrangement, advertises himself or herself for hire out to the public as willing to transport by motor bus from place to place over State public highways people who may choose to employ him or her for that purpose or for the purpose of transporting package express, baggage of passengers, newspapers, or U.S. mail in the same vehicle used for transporting passengers.)

MCL 474.123

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The Mackinac Bridge Walk is a significant Michigan tradition and represents the only time that pedestrians are allowed to walk across the Mackinac Bridge. There were an estimated 30,000 participants in the 58<sup>th</sup> Mackinac Bridge Walk in 2015. It is important for the event to continue to be organized in a way that makes it a safe and enjoyable experience for all of the participants. Because the buses previously used for the event violated the Act, however, the Authority had to bring in certified buses for the 2015 walk, which was inconvenient as the certified buses evidently were located several hours' drive from the Bridge.

Under current law, the only alternative to bringing in certified buses is to ensure that the school buses normally used in the event have a certificate of authority under the Act. However, this would be an expensive undertaking for the district supplying the buses. The bill would remove the logistical complication associated with the provision of buses for participants in the Bridge Walk, by authorizing to exempt the buses used for the event from the Act.

Legislative Analyst: Drew Krogulecki

## **FISCAL IMPACT**

The bill would reduce fee revenue to the Department of Transportation by an unknown and likely negligible amount. It is unknown how many exemptions the Department would grant to motor carriers for events of statewide significance. It also is not known how many emergency certificates would be granted under the bill and for how many of those the Department would choose to waive the fee.

Fiscal Analyst: David Zin

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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.