

Act No. 348  
Public Acts of 2016  
Approved by the Governor  
December 21, 2016  
Filed with the Secretary of State  
December 21, 2016  
EFFECTIVE DATE: March 21, 2017

**STATE OF MICHIGAN  
98TH LEGISLATURE  
REGULAR SESSION OF 2016**

Introduced by Rep. Phelps

# ENROLLED HOUSE BILL No. 4641

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 6 and 7 (MCL 257.6 and 257.7), section 6 as amended by 2002 PA 534, and by adding sections 12c, 25c, 25d, 40c, 67c, 67d, 76a, 76b, 76c, 76d, and 518b.

*The People of the State of Michigan enact:*

Sec. 6. (1) Except as otherwise provided in subsection (3), “chauffeur” means any of the following:

(a) A person who operates a motor vehicle as a motor carrier under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.42, or a motor carrier of passengers as defined in section 3 of the motor bus transportation act, 1982 PA 432, MCL 474.103.

(b) A person who is employed for the principal purpose of operating a motor vehicle with a GVWR of 10,000 pounds or more.

(c) A person who operates a bus or school bus.

(2) For purposes of subsection (1)(b), a person shall be considered to be employed for the principal purpose of operating a motor vehicle when the person's employment customarily involves transporting for gain or hire any merchandise for display, sale, or delivery.

(3) "Chauffeur" does not include any of the following:

(a) A farmer or an employee of a farmer operating a vehicle exclusively in connection with the farming operations of the farmer.

(b) A fire fighter or a member of a fire department operating an ambulance.

(c) Emergency medical services personnel operating an ambulance. As used in this subdivision, "emergency medical services personnel" means that term as defined in section 20904 of the public health code, 1978 PA 368, MCL 333.20904.

(d) State transportation department employees whose work consists of operating vehicles with a gross vehicle weight rating of 10,000 pounds or more for the purpose of transporting highway and bridge maintenance materials and supplies for all aspects of state trunkline maintenance, including winter maintenance and facilities maintenance.

(e) County road commission employees and other employees of local units of government who do not drive their own vehicles and whose work consists of hauling road building materials and supplies for the road commission or for other municipal purposes.

(f) A person operating a motor vehicle for a volunteer program who only receives reimbursement for the costs of operating the motor vehicle.

(g) A person who operates a motor home for personal pleasure.

(h) A parent or parent's designee for the purpose of transporting pupils to or from school and school related events.

(i) A transportation network company driver.

(j) A limousine driver.

(k) A taxicab driver.

Sec. 7. "Commercial vehicle" includes all motor vehicles used for the transportation of passengers for hire, or constructed or used for transportation of goods, wares, or merchandise, and all motor vehicles designed and used for drawing other vehicles that are not constructed to carry a load independently or any part of the weight of a vehicle or load being drawn. Commercial vehicle does not include a limousine operated by a limousine driver, a taxicab operated by a taxicab driver, or a personal vehicle operated by a transportation network company driver.

Sec. 12c. "Digital network" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 25c. "Limousine" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 25d. "Limousine driver" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 40c. "Personal vehicle" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 67c. "Taxicab" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 67d. "Taxicab driver" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 76a. "Transportation network company" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 76b. "Transportation network company driver" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 76c. "Transportation network company prearranged ride" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 76d. "Transportation network company rider" means that term as defined in section 2 of the limousine, taxicab, and transportation network company act.

Sec. 518b. (1) All of the following types of automobile insurance satisfy the financial responsibility requirements of this chapter:

(a) During the time that a transportation network company driver is logged on to the transportation network company's digital network and is available to receive transportation requests but is not engaged in a transportation network company prearranged ride, all of the following types of automobile insurance:

(i) Residual third party automobile liability insurance as required under chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179, in the amount of at least \$50,000.00 per person for death or bodily injury, \$100,000.00 per incident for death or bodily injury, and \$25,000.00 for property damage.

(ii) Personal protection insurance and property protection insurance in the amounts and of the types of coverage required by chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179.

(b) During the time that a transportation network company driver is engaged in a transportation network company prearranged ride, all of the following types of automobile insurance:

(i) Residual third party automobile liability insurance with a minimum combined single limit of \$1,000,000.00 for all bodily injury or property damage.

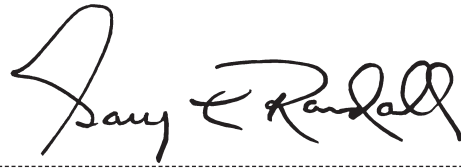
(ii) Personal protection insurance and property protection insurance in the amounts and of the types of coverage required by chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179.

(2) This section only applies to automobile insurance obtained by a transportation network company driver or a transportation network company.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4637 of the 98th Legislature is enacted into law.

This act is ordered to take immediate effect.



-----  
Clerk of the House of Representatives



-----  
Secretary of the Senate

Approved.....

-----  
Governor