

# HOUSE BILL No. 6280

November 5, 1998, Introduced by Rep. Profit and referred to the Committee on Transportation.

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 7 and 7c (MCL 480.17 and 480.17c), section 7 as amended and section 7c as added by 1995 PA 265.

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

1       Sec. 7. (1) Except as provided in sections 7b, 7c, and 7d,  
2 any PERSON, driver, or operator who violates this act or a rule  
3 promulgated under this act, or any owner or user of any bus,  
4 truck, truck tractor, or trailer, or certain other motor vehicles  
5 or any officer or agent of any individual, partnership, corpora-  
6 tion, or association or their lessees or receivers appointed by  
7 any court which is the owner or user of any vehicle, who requires  
8 or permits the driver or operator to operate or drive any bus,  
9 truck, truck tractor, or trailer, or certain other motor vehicles  
10 in violation of this act or a rule promulgated under this act, is

1 guilty of a misdemeanor PUNISHABLE BY A FINE OF NOT MORE THAN  
2 \$250.00 for each violation. ~~punishable by imprisonment for not~~  
3 ~~more than 90 days or a fine of not more than \$100.00, or both.~~

4 (2) A peace officer or an officer of the motor carrier divi-  
5 sion of the department of state police, upon reasonable cause to  
6 believe that a motor vehicle is being operated in violation of  
7 this act or a rule promulgated pursuant to this act, may stop the  
8 motor vehicle and inspect the motor vehicle. If a violation is  
9 found, the officer may issue a notice to appear for that  
10 violation. If a motor vehicle is inspected by breaking the load  
11 seal, then the peace officer shall give to the driver a signed  
12 receipt of inspection and the peace officer shall be responsible  
13 for reapplying a Michigan department of transportation seal.

14 Sec. 7c. (1) A driver or operator or an owner or user of  
15 any bus, truck, truck tractor, or trailer, or certain other motor  
16 vehicles, or any officer or agent of an individual, partnership,  
17 corporation, or association, or their lessees or receiver  
18 appointed by any court that is the owner or user of any vehicle,  
19 who requires or permits the driver or operator to operate or  
20 drive any bus, truck, truck tractor, or trailer, or certain other  
21 motor vehicles, that violates this act or a rule promulgated  
22 under this act if the vehicle is transporting a package required  
23 to be marked or labeled under 49 C.F.R. parts 100 to 180, upon  
24 conviction, is punishable by a fine of not more than \$500.00 for  
25 each violation. ~~, or by imprisonment for not more than 90 days,~~  
26 ~~or both.~~

1           (2) Any officer, employee, owner or agent of an individual,  
2 partnership, corporation, or association, or their lessees or  
3 receiver appointed by any court that is the owner or user of any  
4 hazardous materials vehicle inspection or repair facility that  
5 violates a section of this act, or a rule promulgated under this  
6 act, related to the transportation of hazardous materials, is  
7 guilty of a misdemeanor punishable as prescribed in this  
8 section.