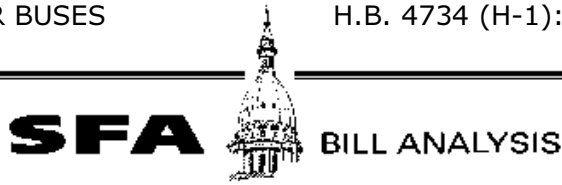


Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4734 (Substitute H-1 as passed by the House)
Sponsor: Representative Judson Gilbert
House Committee: Transportation
Senate Committee: Transportation and Tourism

Date Completed: 9-25-01

CONTENT

The bill would amend the Motor Bus Transportation Act to revise references to parts of the Code of Federal Regulations (C.F.R) that contain motor carrier safety regulations.

Under the Act, the State adopts certain parts of Title 49 of the C.F.R. as of January 1, 1996, on file with the Secretary of State, "...with the intent of following the policies and procedures of the United States Department of Transportation...as they relate to title 49...and the North American uniform driver/motor vehicle inspection standards...out of service and inspection procedures...". In addition to the parts of Title 49 that are currently cited, the bill would add Part 374, which specifies the regulations concerning the Federal licensing of each bus and all bus companies. The bill would delete Part 399, which details regulations for getting in and out of commercial trucks.

In addition, the Act indicates how certain terms in Title 49 are meant to be construed. Under the bill, the terms "Office of Motor Carrier Safety" and "Federal Motor Carrier Safety Administration" would be added to a group of terms meant to refer to the State Transportation Department. Currently, where "interstate" appears, it means "intrastate" or "interstate," or both; the bill would retain this definition but add "except as otherwise specifically provided in this act". The terms "Special Agent of the Office of Motor Carrier Safety" and "Special Agent of the Federal Motor Carrier Safety Administration" would be added to other terms that mean a peace officer, an enforcement member, or a Commercial Vehicle Safety Inspector of the State Transportation Department.

Lastly, the bill would delete the clause "as of January 1, 1996" from the reference to the State-adopted provisions of Title 49.

MCL 474.131

Legislative Analyst: C. Layman

FISCAL IMPACT

Failure to revise the State law to comply with the Federal regulations could result in the loss of Federal funds. The Michigan Department of Transportation will receive an estimated \$150,000 in Federal funds to cover, in part, the costs of intercity bus inspections. These funds pay for 1.5 positions for random and unannounced inspections. These Federal funds are matched with 20% in State restricted revenue from the Comprehensive Transportation Fund. The State could lose \$6.2 million in Federal funding to the Michigan State Police for truck and bus inspections if it fails to enact changes in State law to comply with Federal regulations.

Fiscal Analyst: C. Thiel

S0102\4734sa

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.