



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

BILL



ANALYSIS

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

House Bill 5228 (Substitute S-2 as reported)
Sponsor: Representative Greg MacMaster
House Committee: Transportation
Senate Committee: Transportation

CONTENT

The bill would amend the Motor Carrier Safety Act to exempt from specific provisions of the Act certain vehicles operated in intrastate commerce, but provide that those vehicles would remain subject to specific Federal regulations.

The Act provides that the State adopts a number of Federal motor carrier safety regulations. Under the bill, these regulations would not apply to a vehicle that is not a commercial motor vehicle (CMV) as defined in 49 CFR 383.5 and that is operated in intrastate commerce. Such a vehicle, however, would remain subject to 49 CFR Parts 391 through 393.

(Under 49 CFR 383.5, the definition of "CMV" refers to a motor vehicle or combination of motor vehicles that weighs at least 26,001 pounds; is designed to transport at least 16 people; or is used in the transportation of hazardous materials. Parts 391 through 393 contain Federal motor carrier safety regulations that pertain to qualifications of drivers and longer combination vehicle driver instructors, driving of CMVs, and parts and accessories necessary for safe operation.)

In addition, Sections 5(8) and 6(1) of the Act would not apply to a non-CMV that is operated in intrastate commerce. (Under Section 5(8), a motor carrier operating entirely in intrastate commerce solely within Michigan may not permit or require a CMV operator engaged in seasonal construction-related activities to operate for more than a specified number of hours in a particular period of time. Section 6(1) requires motor carriers to submit their transportation safety-related documents and equipment for inspection or copying to an enforcement member of the State Police Motor Carrier Division.

MCL 480.11a

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. The bill would make adjustments to commercial motor vehicle regulation within the Motor Carrier Safety Act. The Federal government provides funding to the State Police Motor Carrier Enforcement Division dependent upon State compliance with Federal regulations and enforcement of motor carrier laws. While this bill would alter State regulations, Federal sources have indicated that these changes would not jeopardize any existing Federal funds provided to Michigan, according to the Department of State Police.

Date Completed: 5-23-12

Fiscal Analyst: Bruce Baker