

LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY ACT (EXCERPT)
Act 345 of 2016

***** 257.2107.new THIS NEW SECTION IS EFFECTIVE MARCH 21, 2017 *****

257.2107.new Operation of limousine or taxicab on behalf of carrier or company; application; submission; requirements; duties of carrier or company; operation prohibited; conditions; records subject to audit.

Sec. 7. (1) Before an individual may operate a limousine or taxicab on behalf of a limousine carrier or taxicab carrier or accept transportation network company prearranged ride requests as a transportation network company driver using a transportation network company's digital network, he or she shall submit an application to the limousine carrier, taxicab carrier, or transportation network company. The application required under this subsection shall include, but is not limited to, the applicant's name, address, age, operator's license number, driving history, motor vehicle registration information, and automobile liability insurance information. A limousine carrier, taxicab carrier, or transportation network company receiving an application under this subsection shall do both of the following before allowing the applicant to operate a limousine or taxicab or accept transportation network company prearranged ride requests as a transportation network company driver using the transportation network company's digital network:

(a) Annually conduct, or use a third party to annually conduct, a local and national criminal background check of the applicant. The background checks required under this subdivision shall include a search of all of the following:

(i) A multistate or multijurisdiction criminal records locator or similar commercial nationwide database with validation.

(ii) The national sex offender registry database.

(b) Annually obtain and review a driving history research report for the applicant.

(2) A limousine carrier, taxicab carrier, or transportation network company shall not allow an individual to operate a limousine or taxicab or accept transportation network company prearranged ride requests as a transportation network company driver using its digital network if any of the following apply:

(a) The individual has had more than 4 moving violations or 1 major violation in the 3-year period before the date of the application. As used in this subdivision, "major violation" includes, but is not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license.

(b) The individual has a felony conviction within 5 years before the date of the application of any of the following:

(i) Driving under the influence of drugs or alcohol.

(ii) Fraud.

(iii) A sexual offense.

(iv) Use of a motor vehicle to commit a felony.

(v) A crime involving property damage.

(vi) Theft.

(vii) An act of violence.

(viii) An act of terror.

(c) The individual is listed on the national sex offender registry database.

(d) The individual does not possess a valid operator's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or a valid operator's license issued by another state.

(e) The individual does not possess proof of registration issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or proof of registration issued by another state for each personal vehicle that he or she intends to use to provide transportation network company prearranged rides. This subdivision applies only to a transportation network company.

(f) The individual does not possess proof of automobile liability insurance for each personal vehicle that he or she intends to use to provide transportation network company prearranged rides. This subdivision applies only to a transportation network company.

(g) The individual is under 19 years of age.

(3) All background records of drivers described in this section are subject to audit by the department at any time.

History: 2016, Act 345, Eff. Mar. 21, 2017.