

MOTOR BUS TRANSPORTATION ACT (EXCERPT)
Act 432 of 1982

***** 474.116.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.116.amended Inspections.

Sec. 16. (1) To maintain authorized status for a bus, a motor carrier shall ensure that the bus passes a valid inspection as provided in this section and that the condition of the bus is maintained between inspections.

(2) Beginning on January 1, 2017, for an inspection of a bus to be a valid inspection, all of the following shall be satisfied:

(a) An inspection has been scheduled at the department's convenience.

(b) The inspector of the bus indicates on an inspection report prepared by the department that the bus has passed the inspection before the expiration of the previous inspection.

(c) If the inspection is of a seasonal bus, the inspection occurred no earlier than 30 days before the beginning of the approved seasonal period for that bus.

(d) The department shall accept an inspection conducted by the department of state police if that inspection meets the requirements of this act.

(3) A bus that does not have a valid inspection under this section shall not be operated over the public highways of this state.

(4) A motor carrier is subject to all of the following penalties for each bus that does not have a valid inspection as required by this section:

(a) A motor carrier shall be assessed a fee of \$250.00 for each inspection that is conducted between 1 and 30 days late, and a fee of \$500.00 for each inspection that is conducted 31 or more days late. This fee shall be in addition to any fee assessed under subdivision (b). The department may waive the fee provided for in this subdivision if the late inspection was primarily caused by the schedule of the safety inspector. A vehicle that fails an inspection is subject to the late inspection fees described in this subdivision.

(b) The motor carrier shall be assessed a \$100.00 reinspection fee for each inspection after an initial failed inspection until the vehicle passes or is permanently removed from service.

(c) A motor carrier that is assessed a reinspection fee under subdivision (b) shall pay the reinspection fee before the department conducts the reinspection on the vehicle for which the reinspection fee was assessed.

(5) Instead of an inspection by the department under subsection (2), a motor carrier may, no later than the end of the month in which the inspection expires, provide evidence of a current year inspection by a state, district, province, or local municipality that has standards comparable to the federal motor carrier safety periodic inspection standards and that has been approved by the department. The department may issue a list of the states, districts, provinces, and local municipalities that have standards comparable to the federal standards promulgated under 49 CFR part 396.

(6) A motor carrier shall maintain a copy of a current valid inspection report on board each bus at all times, and the report shall be made available for review upon demand by an authorized federal, state, or local official.

(7) If the department has reasonable cause to believe that a bus is unsafe for operation or has not been inspected as required by this act or rules promulgated under this act, a department safety inspector may inspect the bus. If the bus is not in compliance with this act, the department may require the motor carrier to place the bus out of service until all violations have been corrected or eliminated.

(8) Upon satisfactory completion of a valid inspection of a bus as required by this act and payment of all required fees by the motor carrier, the department shall issue a decal indicating the expiration date of the inspection for that bus. A decal issued under this subsection is property of this state. A motor carrier shall not use a bus displaying an expired decal to provide for-hire passenger service.

(9) A motor carrier shall not operate a bus over the public highways of this state if that bus does not have a properly displayed current decal issued by the department under subsection (8).

(10) The department may require a motor carrier to return a decal issued under subsection (8) to the department if the bus upon which that decal was displayed is removed from the motor carrier's roster by the department or the motor carrier. A motor carrier that fails to return a decal within 30 days after a request by the department shall pay a \$50.00 fee.

(11) The department may waive the inspection and renewal requirements of this act for a bus that is not being used in this state for a motor carrier that is located outside of this state if the motor carrier submits a roster that indicates which of its vehicles will be used exclusively outside of this state for at least 1 year. The roster must be submitted before the affected vehicle ceases to comply with this act. The motor carrier may put the bus back into service in this state after at least 1 year by submitting a revised roster and complying with all

other provisions of this act.

(12) Until the department conducts an inspection as provided in this act, or January 1, 2018, whichever is later, an inspection that was conducted and passed in accordance with this act or the limousine transportation act, 1990 PA 271, MCL 257.1901 to 257.1939, before January 1, 2017 shall be considered a valid inspection.

History: Add. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 1996, Act 421, Imd. Eff. Nov. 22, 1996;—Am. 2016, Act 349, Eff. Mar. 21, 2017.