

MOTOR CARRIER SAFETY ACT OF 1963 (EXCERPT)
Act 181 of 1963

480.12o Regularly employed drivers of intrastate motor carriers of passengers; nonapplicability of certain provisions; applicability and validity of grandfather rights.

Sec. 2o. (1) The provisions of 49 C.F.R. 391.21 relating to applications for employment, 49 C.F.R. 391.23 relating to investigations and inquiries, and 49 C.F.R. 391.31 relating to road test do not apply to a driver who has been as regularly employed driver of an intrastate motor carrier of passengers for a continuous period which began on or before March 3, 1991, as long as he or she continued to be a regularly employed driver of that motor carrier. Such a driver is qualified to drive a bus if he or she fulfills the requirements of section 2d(2) relating to qualifications of drivers.

(2) The provisions of this act pertaining to an intrastate driver's medical qualifications do not apply to a bus driver who:

(a) Has been a regularly employed driver of the motor carrier for a continuous period which began on or before March 3, 1991.

(b) Has continued to be a regularly employed driver of that motor carrier.

(c) Is otherwise qualified to drive a bus under section 2d.

(d) Has made application to the motor carrier division of the department of state police claiming grandfathering rights.

(e) Has received a waiver of medical qualification from the motor carrier division of the department of state police. The medical waiver grandfather rights card, motor carrier division form number MC-22, shall be carried at all times on the person of the driver while he or she is operating a motor vehicle under the applicability of these rules. The original medical waiver grandfather rights, motor carrier division form MC-25, will be retained in the driver qualification file in accordance with section 2n.

(3) Notwithstanding subsection (2), the provisions of this act pertaining to random, reasonable cause, and postaccident drug testing apply to all drivers granted grandfathering rights under this section.

(4) Grandfather rights shall remain valid until December 31, 2032.

(5) The exemption from medical qualifications under this section applies only to preexisting conditions before the effective date of the amendatory act that added this subsection. Any medical condition that would normally disqualify a driver under this act automatically voids any grandfather rights. Any driver who develops a normally disqualifying medical condition after being issued a grandfather card must return the grandfather card to the appeal board.

(6) The provisions of 49 C.F.R., section 391.68, excepting private motor carriers of passengers (nonbusiness) from certain federal regulations shall apply also to motor carriers of passengers (nonbusiness) operating wholly within this state.

History: Add. 1990, Act 339, Eff. Apr. 2, 1991;—Am. 1995, Act 265, Imd. Eff. Jan. 8, 1996.