

SUBSTITUTE FOR  
SENATE BILL NO. 184

A bill to amend 1990 PA 271, entitled  
"Limousine transportation act,"  
by amending the title and sections 5, 7, 11, 13, 14, 15, 17, 19,  
21, 23, 25, 27, 29, 31, and 37 (MCL 257.1905, 257.1907, 257.1911,  
257.1913, 257.1914, 257.1915, 257.1917, 257.1919, 257.1921,  
257.1923, 257.1925, 257.1927, 257.1929, 257.1931, and 257.1937),  
section 7 as amended by 2000 PA 487, and by adding section 8.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 TITLE

2 An act to regulate persons who transport passengers by  
3 limousine **OR TRANSPORTATION NETWORK COMPANY VEHICLE**; to prescribe  
4 powers and duties for the state transportation department and  
5 certain local units of government; to impose certain fees; and to  
6 prescribe remedies and penalties.

1       Sec. 5. (1) This act ~~shall~~**DOES** not apply to a limo carrier of  
2 passengers **OR A TRANSPORTATION NETWORK COMPANY DRIVER** that is any  
3 of the following:

4       (a) A county, city, township, or village as provided by law,  
5 or other authority incorporated under ~~Act No. 55 of the Public Acts~~  
6 ~~of 1963, being sections 124.351 to 124.359 of the Michigan Compiled~~  
7 ~~Laws.~~**1963 PA 55, MCL 124.351 TO 124.359.**

8       (b) An authority incorporated under the metropolitan  
9 transportation authorities act of 1967, ~~Act No. 204 of the Public~~  
10 ~~Acts of 1967, being sections 124.401 to 124.426 of the Michigan~~  
11 ~~Compiled Laws,~~**1967 PA 204, MCL 124.401 TO 124.426,** or that  
12 operates a transportation service ~~pursuant to~~**UNDER** an interlocal  
13 agreement under the urban cooperation act of 1967, ~~Act No. 7 of the~~  
14 ~~Public Acts of the Extra Session of 1967, being sections 124.501 to~~  
15 ~~124.512 of the Michigan Compiled Laws.~~**1967 (EX SESS) PA 7, MCL**  
16 **124.501 TO 124.512.**

17       (c) Operating under a contract entered into ~~pursuant to Act~~  
18 ~~No. 8 of the Public Acts of the Extra Session of 1967, being~~  
19 ~~sections 124.531 to 124.536 of the Michigan Compiled Laws,~~**UNDER**  
20 **1967 (EX SESS) PA 8, MCL 124.531 TO 124.536,** or ~~Act No. 35 of the~~  
21 ~~Public Acts of 1951, being sections 124.1 to 124.13 of the Michigan~~  
22 ~~Compiled Laws.~~**1951 PA 35, MCL 124.1 TO 124.13.**

23       (d) An authority incorporated under the public transportation  
24 authority act, ~~Act No. 196 of the Public Acts of 1986, being~~  
25 ~~sections 124.451 to 124.479 of the Michigan Compiled Laws,~~**1986 PA**  
26 **196, MCL 124.451 TO 124.479,** or a nonprofit corporation organized  
27 under the nonprofit corporation act, ~~Act No. 162 of the Public Acts~~

1 of 1982, being sections 450.2101 to 450.3192 of the Michigan  
 2 Compiled Laws, 1982 PA 162, MCL 450.2101 TO 450.3192, that provides  
 3 transportation services.

4 (e) An authority financing public improvements to  
 5 transportation systems under the revenue bond act of 1933, ~~Act No.~~  
 6 ~~94 of the Public Acts of 1933, being sections 141.101 to 141.140 of~~  
 7 ~~the Michigan Compiled Laws. 1933 PA 94, MCL 141.101 TO 141.140.~~

8 (f) Only operating limousines **OR TRANSPORTATION NETWORK**  
 9 **COMPANY VEHICLES** to provide the transportation of passengers for  
 10 funerals.

11 ~~—— (g) Only operating wholly within the boundaries of a local~~  
 12 ~~unit of government if the local unit of government has its own~~  
 13 ~~safety inspection and insurance requirements.~~

14 (2) A limo carrier of passengers **OR A TRANSPORTATION NETWORK**  
 15 **COMPANY DRIVER** exempt under subsection (1) shall operate under the  
 16 requirements of this act when operating outside of the political  
 17 subdivisions permitted by the authorizing statute or the contract  
 18 required by the authorizing statute.

19 (3) This act ~~shall~~ **DOES** not apply to a limo carrier of  
 20 passengers ~~who~~ **OR A TRANSPORTATION NETWORK COMPANY DRIVER THAT** is  
 21 only providing transportation using metered vehicles identified as  
 22 a taxi or taxicab with a maximum seating capacity of 3 to ~~9~~ **8**  
 23 passengers or less, including the driver.

24 Sec. 7. ~~(1)~~ A limo carrier of passengers **OR A TRANSPORTATION**  
 25 **NETWORK COMPANY DRIVER** shall not operate a limousine **OR A**  
 26 **TRANSPORTATION NETWORK COMPANY VEHICLE** for the transportation of  
 27 persons for hire on a public highway in this state except in

accordance with this act. A limo carrier of passengers **OR A**  
**TRANSPORTATION NETWORK COMPANY DRIVER** that operates ~~class B~~  
limousines **OR TRANSPORTATION NETWORK COMPANY VEHICLES** for the  
purpose of picking up passengers within a city with a population of  
~~750,000~~ **500,000** or more shall also comply with the vehicle for hire  
ordinance of that city with respect to those limousines **OR**  
**TRANSPORTATION NETWORK COMPANY VEHICLES**. However, a limo carrier of  
passengers **OR A TRANSPORTATION NETWORK COMPANY DRIVER** may remain in  
the city during a given trip for the sole purpose of picking up the  
same passengers that the limo carrier of passengers **OR A**  
**TRANSPORTATION NETWORK COMPANY DRIVER** originally brought into the  
city on that trip. A limo carrier of passengers **OR A TRANSPORTATION**  
**NETWORK COMPANY DRIVER** shall not operate upon a public highway  
without first having obtained from the department a certificate of  
authority. ~~A certificate of authority may be obtained for operation~~  
~~of either class A limousines or class B limousines or both.~~

~~———— (2) The amendatory act that added this subsection takes effect~~  
~~30 days after a city with a population of 750,000 or more makes~~  
~~available bonds for class B limousines. The total number of class B~~  
~~limousine bonds shall be determined by the city. However, for the~~  
~~first 90 days the number of bonds to be made available for class B~~  
~~limousines shall not be less than 100 or more than 200.~~

~~———— (3) As used in this section:~~

~~———— (a) "Class A limousine" means a limousine with a seating~~  
~~capacity of not less than 7 passengers but not more than 15~~  
~~passengers including the driver.~~

~~———— (b) "Class B limousine" means a limousine with a seating~~

~~capacity of less than 7 passengers including the driver.~~

SEC. 8. (1) THIS ACT DOES NOT PROHIBIT AN AUTHORITY CREATED UNDER THE AERONAUTICS CODE OF THE STATE OF MICHIGAN, 1945 PA 327, MCL 259.1 TO 259.208, OR A MUNICIPALITY OR A GROUP OF MUNICIPALITIES THAT FORM AN AUTHORITY TO REGULATE TRANSPORTATION NETWORK COMPANIES, TRANSPORTATION NETWORK COMPANY DRIVERS, OR TRANSPORTATION NETWORK COMPANY VEHICLES UNDER THE MUNICIPAL PARTNERSHIP ACT, 2011 PA 258, MCL 124.111 TO 124.123, OR THE PUBLIC TRANSPORTATION AUTHORITY ACT, 1986 PA 196, MCL 124.451 TO 124.479, FROM ADOPTING A RULE, ORDINANCE, RESOLUTION, POLICY, OR PROCEDURE THAT IS MORE RESTRICTIVE THAN THIS ACT.

(2) IN ADDITION TO OTHER FEES OR CHARGES, AN AUTHORITY, MUNICIPALITY, OR GROUP OF MUNICIPALITIES DESCRIBED IN SUBSECTION (1) MAY IMPOSE A REASONABLE FEE TO RECOVER THE COSTS OF ADMINISTERING THE REGISTRATION OR LICENSING OF TRANSPORTATION NETWORK COMPANIES, TRANSPORTATION NETWORK COMPANY DRIVERS, OR TRANSPORTATION NETWORK COMPANY VEHICLES.

Sec. 11. The department shall issue without a hearing a certificate of authority to a limo carrier of passengers ~~OR A TRANSPORTATION NETWORK COMPANY DRIVER~~ authorizing that ~~LIMO carrier OF PASSENGERS OR TRANSPORTATION NETWORK COMPANY DRIVER~~ to provide transportation services subject to the jurisdiction of the department under this act, if the department finds ~~pursuant to~~ UNDER section 13(1) that the ~~LIMO carrier OF PASSENGERS OR TRANSPORTATION NETWORK COMPANY DRIVER~~ is fit, willing, and able to provide the transportation service authorized by the certificate of authority and to comply with this act and if the applicant presents

1 evidence of the acquisition of personal injury protection and  
2 property damage liability insurance as required by section 13(2).  
3 The department may attach to the exercise of the privilege granted  
4 by a certificate of authority terms or conditions as the department  
5 considers appropriate.

6       Sec. 13. (1) In determining the fitness, willingness, and  
7 ability of an applicant for a certificate of authority to provide  
8 transportation service, the department shall consider all of the  
9 following before the issuance of the original certificate of  
10 authority:

11       (a) The applicant's safety record.

12       (b) The character and condition of each limousine **OR**  
13 **TRANSPORTATION NETWORK COMPANY VEHICLE** is such that it may be  
14 operated safely upon the public highways based on an inspection  
15 ~~required pursuant to~~ **UNDER** section 19 and conducted by a mechanic  
16 certified under the motor vehicle service and repair act at a motor  
17 vehicle repair facility registered under the motor vehicle service  
18 and repair act that is designated by the department as an  
19 inspection station or by a county, city, village, or township  
20 ~~pursuant to~~ **UNDER** section 14. Any limousine **OR TRANSPORTATION**  
21 **NETWORK COMPANY VEHICLE** that does not pass the required  
22 departmental safety inspection shall not be operated over the  
23 public highways of this state.

24       (c) The applicant's financial ability to provide continuous  
25 insurance coverage as required by subsection (2) and to have  
26 adequate financial resources in order to pay for damage claims  
27 against the applicant.

(2) An applicant shall acquire the following insurance coverage of liability for acts or omissions of the applicant as a limo carrier of passengers **OR TRANSPORTATION NETWORK COMPANY DRIVER:**

(a) For limousines **OR TRANSPORTATION NETWORK COMPANY VEHICLES** with a seating capacity of 1 to 9-8 passengers including the driver, bodily injury and property damage liability insurance with a minimum combined single limit of \$1,000,000.00 for all persons injured or for property damage.

~~———— (b) For limousines with a seating capacity of 10 to 15 passengers including the driver, bodily injury and property damage liability insurance with a minimum combined single limit of \$2,000,000.00 for all persons injured or for property damage.~~

**(B)** ~~(c)~~ Personal protection insurance and property protection insurance as required by ~~sections 3101 to 3179~~ **CHAPTER 31** of the insurance code of 1956, ~~Act No. 218 of the Public Acts of 1956,~~ ~~being sections 500.3101 to 500.3179 of the Michigan Compiled Laws.~~ **1956 PA 218, MCL 500.3101 TO 500.3179.** A limo carrier of passengers **OR TRANSPORTATION NETWORK COMPANY DRIVER** shall maintain the insurance described in this subsection as a condition of maintaining a certificate of authority issued under this act.

(3) An applicant that does not satisfy both subsections (1) and (2) shall not be issued a certificate of authority to provide transportation service as a limo carrier of passengers **OR TRANSPORTATION NETWORK COMPANY DRIVER** under this act.

Sec. 14. (1) A county, city, village, or township that has adopted a local ordinance to regulate limousines, ~~or~~ a limo carrier

1 of passengers, **TRANSPORTATION NETWORK COMPANY VEHICLES, OR A**  
2 **TRANSPORTATION NETWORK COMPANY DRIVER** within its corporate limits  
3 may perform the safety inspection required by section 19 upon  
4 request of a limo carrier of passengers **OR TRANSPORTATION NETWORK**  
5 **COMPANY DRIVER.**

6 (2) A safety inspection performed under this section shall  
7 meet or exceed the requirements and standards of the department  
8 safety inspection.

9 Sec. 15. (1) The department shall approve or deny an  
10 application for a certificate of authority within 90 days after the  
11 complete application is filed with the department.

12 (2) If the department denies an application for a certificate  
13 of authority, the department shall notify the applicant in writing  
14 of the reason or reasons for the denial, and the applicant shall  
15 have 30 days from the date of denial to correct any deficiency and  
16 reapply without payment of an additional application fee.

17 (3) A limo carrier of passengers ~~who~~ **OR TRANSPORTATION NETWORK**  
18 **COMPANY DRIVER THAT** has a safety inspection performed under section  
19 14 may receive a certificate of authority by providing the  
20 department with a copy of the safety inspection report and meeting  
21 the other requirements of section 13.

22 Sec. 17. An applicant for an original certificate of authority  
23 shall pay to the department a filing fee of \$300.00 and a fee of  
24 \$50.00 times the number of limousines **OR TRANSPORTATION NETWORK**  
25 **COMPANY VEHICLES** to be used by the **LIMO** carrier **OF PASSENGERS OR**  
26 **TRANSPORTATION NETWORK COMPANY DRIVER** to provide transportation for  
27 hire.



1       Sec. 19. (1) Each limo carrier of passengers ~~who~~ **OR**  
 2       **TRANSPORTATION NETWORK COMPANY DRIVER THAT** holds a certificate of  
 3       authority issued under this act shall have each limousine **OR**  
 4       **TRANSPORTATION NETWORK COMPANY VEHICLE** inspected annually by a  
 5       mechanic certified under the motor vehicle service and repair act  
 6       at a motor vehicle repair facility registered under the motor  
 7       vehicle service and repair act that is designated by the department  
 8       as an inspection station.

9       (2) Each limousine **OR TRANSPORTATION NETWORK COMPANY VEHICLE**  
 10      operated by the limo carrier of passengers **OR TRANSPORTATION**  
 11      **NETWORK COMPANY DRIVER** under its certificate of authority shall  
 12      pass the safety inspection which meets the department's  
 13      specifications for safe operating character and condition for the  
 14      renewal of certificate.

15      (3) A limousine **OR TRANSPORTATION NETWORK COMPANY VEHICLE** that  
 16      does not pass a required inspection shall not be operated over the  
 17      public highways of this state.

18      Sec. 21. (1) Each limo carrier of passengers ~~who~~ **OR**  
 19      **TRANSPORTATION NETWORK COMPANY DRIVER THAT** holds a certificate of  
 20      authority issued under this act shall pay to the department an  
 21      annual renewal fee equal to \$50.00 times the number of limousines  
 22      used exclusively by the carrier to provide transportation of  
 23      passengers for hire **OR THE NUMBER OF TRANSPORTATION NETWORK COMPANY**  
 24      **VEHICLES USED BY THE TRANSPORTATION NETWORK COMPANY DRIVER TO**  
 25      **PROVIDE TRANSPORTATION OF PASSENGERS FOR HIRE** and meeting annual  
 26      renewal inspection requirements of section 19. An annual renewal  
 27      fee of \$500.00 shall be paid for any limousine **OR TRANSPORTATION**

1 **NETWORK COMPANY VEHICLE** not meeting the annual renewal inspection  
2 requirement of section 19.

3 (2) For newly acquired limousines purchased by a limo carrier  
4 of passengers who holds a certificate of authority issued under  
5 this act to provide transportation for hire, the carrier shall pay  
6 to the department a maximum \$50.00 fee per limousine to obtain a  
7 current year certification after **THE** inspection required pursuant  
8 ~~to~~ **UNDER** section 19. **FOR NEWLY ACQUIRED TRANSPORTATION NETWORK**  
9 **COMPANY VEHICLES PROVIDING TRANSPORTATION FOR HIRE FOR A**  
10 **TRANSPORTATION NETWORK COMPANY, THE TRANSPORTATION NETWORK COMPANY**  
11 **DRIVER SHALL PAY TO THE DEPARTMENT A MAXIMUM \$50.00 FEE PER**  
12 **TRANSPORTATION NETWORK COMPANY VEHICLE TO OBTAIN A CURRENT YEAR**  
13 **CERTIFICATION AFTER THE INSPECTION REQUIRED UNDER SECTION 19.**

14 (3) All certificates granted by the department terminate on  
15 the last day of February of each year unless renewed on or before  
16 that date with payment of the appropriate fee prescribed by this  
17 section. The certificate of any limo carrier of passengers ~~who~~ **OR**  
18 **TRANSPORTATION NETWORK COMPANY DRIVER THAT** is delinquent in payment  
19 of fees required to be paid by this section is canceled and revoked  
20 on or after March 1 of the year for which renewal should have been  
21 made under the requirements of this section, and ~~the~~ **A** limo carrier  
22 of passengers ~~shall be~~ **IS** prohibited from operating any of its  
23 vehicles upon or over the highways of this state. All privileges  
24 granted **TO** the limo carrier of passengers **OR TRANSPORTATION NETWORK**  
25 **COMPANY** under the expiring certificate shall cease.

26 Sec. 23. Each limo carrier of passengers ~~who~~ **OR TRANSPORTATION**  
27 **NETWORK COMPANY DRIVER THAT** holds a certificate of authority under

1 this act may have the annual renewal inspection required under  
2 section 19 done ~~pursuant to~~ **UNDER** section 14, and ~~then~~ shall submit  
3 to the department a copy of the safety inspection report and pay  
4 the department a fee equal to \$5.00 times the number of limousines  
5 **OR TRANSPORTATION NETWORK COMPANY VEHICLES** inspected.

6 Sec. 25. If the insurance coverage required under this act is  
7 canceled for any reason, the certificate of authority issued to  
8 that **LIMO carrier OF PASSENGERS OR TRANSPORTATION NETWORK COMPANY**  
9 **DRIVER** shall be considered revoked without any further action by  
10 the department.

11 Sec. 27. The department may use all available legal and  
12 equitable remedies of a civil nature to enforce this act, an order  
13 issued, or a rule promulgated ~~pursuant to~~ **UNDER** this act. The  
14 department may employ such experts, assistants, inspectors, and  
15 other personnel as may be necessary, subject to civil service  
16 rules, to enable it to administer and enforce this act. An employee  
17 of the department shall not ask or receive any fee from a person  
18 for the taking of acknowledgments or any other service. State and  
19 local police officers shall enforce this act and the rules  
20 promulgated ~~pursuant to~~ **UNDER** this act. A peace officer may arrest,  
21 on sight or upon warrant, any person found violating, or having  
22 violated, a provision of this act or a rule promulgated under this  
23 act. The attorney general of ~~the~~ **THIS** state and the prosecuting  
24 attorneys of the counties of ~~the~~ **THIS** state shall prosecute all  
25 violations of this act. When this act is violated, the offense may  
26 be prosecuted in any jurisdiction in or through which any limousine  
27 **OR TRANSPORTATION NETWORK COMPANY VEHICLE** implicated was present at

1 the time of the violation.

2       Sec. 29. (1) Each person subject to this act who operates a  
3 limousine service **AND EACH TRANSPORTATION NETWORK COMPANY DRIVER**  
4 **SUBJECT TO THIS ACT WHO OPERATES A TRANSPORTATION NETWORK COMPANY**  
5 **VEHICLE OR LIMOUSINE** without obtaining a certificate of authority  
6 required under this act or without meeting the insurance  
7 requirements provided in this act ~~shall be~~ **IS** subject to a fine of  
8 not more than \$500.00. Each violation constitutes a separate  
9 offense.

10       (2) A person who commits fraud, misrepresentation, trickery,  
11 or deceit in connection with inspections conducted under this act  
12 shall be subject to a fine of not more than \$500.00. Each violation  
13 constitutes a separate offense.

14       Sec. 31. A limo carrier of passengers **OR TRANSPORTATION**  
15 **NETWORK COMPANY DRIVER**, or an officer or agent of a limo carrier of  
16 passengers **OR TRANSPORTATION NETWORK COMPANY DRIVER**, ~~who~~ **THAT**  
17 requires or permits a driver or operator to drive or operate a  
18 limousine **OR TRANSPORTATION NETWORK COMPANY VEHICLE** in violation of  
19 this act, or a rule promulgated under this act, is guilty of a  
20 misdemeanor ~~—~~ punishable by a fine of not more than \$500.00 or by  
21 imprisonment for not more than 90 days, or both.

22       Sec. 37. The department shall promulgate rules to implement  
23 this act ~~pursuant to~~ **UNDER** the administrative procedures act of  
24 1969, ~~Act No. 306 of the Public Acts of 1969, being sections 24.201~~  
25 ~~to 24.328 of the Michigan Compiled Laws. 1969 PA 306, MCL 24.201 TO~~  
26 **24.328**. The rules shall include standardized forms to be used by  
27 all certified mechanics performing inspections required by section

1 19. The department shall also include criteria for designation of  
2 registered motor vehicle repair facilities as inspection stations  
3 for limousine **AND TRANSPORTATION NETWORK COMPANY VEHICLE**  
4 inspections required under this act.

5 Enacting section 1. This amendatory act takes effect 90 days  
6 after the date it is enacted into law.

7 Enacting section 2. This amendatory act does not take effect  
8 unless Senate Bill No. 188 of the 98th Legislature is enacted into  
9 law.