

SUBSTITUTE FOR  
SENATE BILL NO. 188

A bill to amend 1990 PA 271, entitled  
"Limousine transportation act,"  
by amending section 3 (MCL 257.1903).

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

1       Sec. 3. As used in this act:

2       (a) "Certificate of authority" means a certificate of  
3 authority issued under the terms of this act unless the context  
4 indicates otherwise.

5       (b) "Department" means the state transportation department.

6       (c) "For hire" means the remuneration or reward of any kind,  
7 paid or promised, either directly or indirectly.

8       (d) "Lessor" means a person who leases a limousine **OR**  
9 **TRANSPORTATION NETWORK COMPANY VEHICLE** to any other person for the  
10 transportation of passengers for hire over the public highways of

1 this state.

2 (e) "Limousine" means a self-propelled motor vehicle used in  
3 the carrying of passengers and the baggage of the passengers for  
4 hire upon a public highway of this state with a seating capacity of  
5 ~~15-8~~ passengers or less, including the driver. Limousine does not  
6 include a self-propelled motor vehicle having a seating capacity of  
7 ~~15-8~~ passengers or less that is used by or on behalf of an employer  
8 to transport its employees to and from their place of employment.

9 **EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, LIMOUSINE DOES NOT**  
10 **INCLUDE A TRANSPORTATION NETWORK COMPANY VEHICLE.**

11 (f) "Limo carrier of passengers" means a person who, either  
12 directly or through any device or arrangement, holds himself or  
13 herself out to the public as willing to undertake for hire to  
14 transport by limousine from place to place over the public highways  
15 of this state persons who may choose to employ him or her for that  
16 purpose.

17 (g) "Motor vehicle service and repair act" means ~~Act No. 300~~  
18 ~~of the Public Acts of 1974, being sections 257.1301 to 257.1340 of~~  
19 ~~the Michigan Compiled Laws.~~ **THE MOTOR VEHICLE SERVICE AND REPAIR**  
20 **ACT, 1974 PA 300, MCL 257.1301 TO 257.1340.**

21 (h) "Person" means an individual, sole proprietorship,  
22 partnership, association, corporation, or other legal entity or the  
23 lessee, trustee, or receiver of any of these entities; this state;  
24 a city, village, township, or county; the federal government; or an  
25 employee, officer, or agent of any of these units of government.

26 (i) "Public highway" means a highway, road, street, avenue,  
27 alley, or thoroughfare of any kind, or a bridge, tunnel, or subway

1 used by the public.

2 (j) "The public" means ~~that~~**THE** part or portion of the general  
3 public ~~which the~~**THAT A** limo carrier **OF PASSENGERS OR**  
4 **TRANSPORTATION NETWORK COMPANY DRIVER** is ready, able, willing, and  
5 equipped to serve.

6 (k) "Through any device or arrangement" means any and all  
7 methods, means, agreements, circumstances, operations, or  
8 subterfuges under which a person undertakes for hire to conduct,  
9 direct, control, or otherwise perform the transportation of  
10 passengers by limousine **OR TRANSPORTATION NETWORK COMPANY VEHICLE**  
11 upon the public highways of this state.

12 (l) **"TRANSPORTATION NETWORK COMPANY" MEANS A PERSON OPERATING**  
13 **IN THIS STATE THAT USES A DIGITAL NETWORK TO CONNECT RIDERS TO**  
14 **TRANSPORTATION NETWORK COMPANY DRIVERS FOR THE PURPOSE OF PROVIDING**  
15 **PREARRANGED TRANSPORTATION.**

16 (m) **"TRANSPORTATION NETWORK COMPANY DRIVER" MEANS AN**  
17 **INDIVIDUAL WHO USES A TRANSPORTATION NETWORK COMPANY VEHICLE TO**  
18 **PROVIDE TRANSPORTATION SERVICES FOR HIRE TO RIDERS THAT ARE MATCHED**  
19 **TO THAT INDIVIDUAL THROUGH A TRANSPORTATION NETWORK COMPANY'S**  
20 **DIGITAL NETWORK, REGARDLESS OF WHETHER THE INDIVIDUAL IS EMPLOYED**  
21 **BY A TRANSPORTATION NETWORK COMPANY.**

22 (n) **"TRANSPORTATION NETWORK COMPANY VEHICLE" MEANS A MOTOR**  
23 **VEHICLE THAT IS BEING OPERATED BY A TRANSPORTATION NETWORK COMPANY**  
24 **DRIVER.**

25 Enacting section 1. This amendatory act does not take effect  
26 unless Senate Bill No. 184 of the 98th Legislature is enacted into  
27 law.