

HOUSE BILL No. 5828

May 6, 1998, Introduced by Rep. Leland and referred to the Committee on Transportation.

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 7b and 11 (MCL 480.17b and 480.21), section 7b as amended by 1990 PA 339 and section 11 as amended by 1995 PA 265.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7b. (1) A driver or operator or an owner or user of
2 any bus, truck, truck tractor, or trailer, or certain other motor
3 vehicles or any officer or agent of an individual, partnership,
4 corporation, or association or their lessees or receivers
5 appointed by any court that is the owner or user of any vehicle,
6 who requires or permits the driver or operator to operate a vehi-
7 cle with a serious safety defect is subject to a CIVIL fine of
8 not more than \$300.00 for each violation. A FINE IMPOSED UNDER

1 THIS SUBSECTION SHALL BE CREDITED TO THE MICHIGAN TRANSPORTATION
2 FUND.

3 (2) As used in this section, "serious safety defect" means a
4 violation of this act or a rule promulgated pursuant to this act
5 relative to brakes, tires, steering, coupling devices, head-
6 lights, taillights, brake lights, and turn signals that results in
7 the vehicle being placed out of service.

8 Sec. 11. (1) A township, city, village, or county shall not
9 adopt or enforce an ordinance or resolution that is inconsistent
10 with this act or any rule promulgated pursuant to this act.

11 (2) A state agency shall not promulgate rules inconsistent
12 with this act. This subsection does not apply to rules promul-
13 gated under the fire prevention code, ~~Act No. 207 of the Public~~
14 ~~Acts of 1941, being sections 29.1 to 29.33 of the Michigan~~
15 ~~Compiled Laws~~ 1941 PA 207, MCL 29.1 TO 29.34, by the state fire
16 safety board with respect to the transportation of liquefied
17 petroleum gas.

18 (3) THE CIVIL FINE FOR OPERATING A VEHICLE WITH A SERIOUS
19 SAFETY DEFECT LEVIED UNDER AN ORDINANCE OR RESOLUTION ADOPTED BY
20 A TOWNSHIP, CITY, VILLAGE, OR COUNTY THAT IS CONSISTENT WITH SEC-
21 TION 7B SHALL BE CREDITED TO THE MICHIGAN TRANSPORTATION FUND.

22 (4) ~~-(3)-~~ As used in this section, "inconsistent" means a
23 rule or ordinance that is more permissive than the provisions of
24 this act, or is more restrictive, or requires more action, equip-
25 ment, or permits, or prevents or obstructs compliance with the
26 provisions of this act.