

**SENATE BILL NO. 646**

July 2, 1997, Introduced by Senators HART, YOUNG, DINGELL,  
BERRYMAN, DE BEAUSSAERT and O'BRIEN and referred to the  
Committee on Transportation and Tourism.

A bill to amend 1990 PA 271, entitled  
"Limousine transportation act,"  
by amending sections 11, 21, and 31 (MCL 257.1911, 257.1921, and  
257.1931).

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

1       Sec. 11. (1) The department shall issue without a hearing a  
2 certificate of authority to a limo carrier of passengers autho-  
3 rizing that carrier to provide transportation services subject to  
4 the jurisdiction of the department under this act, if the depart-  
5 ment finds pursuant to section 13(1) that the carrier is fit,  
6 willing, and able to provide the transportation service autho-  
7 rized by the certificate of authority and to comply with this act  
8 and if the applicant presents evidence of the acquisition of  
9 personal injury protection and property damage liability  
10 insurance as required by section 13(2).

1           (2) AT THE TIME OF ISSUANCE OF A CERTIFICATE OF AUTHORITY,  
2 THE LIMO CARRIER OF PASSENGERS SHALL CONTRACT WITH THE DEPARTMENT  
3 ON A FORM PROVIDED BY THE DEPARTMENT TO HIRE ONLY DRIVERS WITH A  
4 CURRENT VALID CHAUFFEUR'S LICENSE AND TO CHECK THE DRIVER RECORDS  
5 OF THE SECRETARY OF STATE FOR EACH DRIVER NOT LESS THAN TWICE  
6 DURING THE 12-MONTH CERTIFICATE PERIOD.

7           (3) The department may attach to the exercise of the privi-  
8 lege granted by a certificate of authority FURTHER terms or con-  
9 ditions as the department considers appropriate.

10          Sec. 21. (1) Each limo carrier of passengers who holds a  
11 certificate of authority issued under this act shall pay to the  
12 department an annual renewal fee equal to \$50.00 times the number  
13 of limousines used exclusively by the carrier to provide trans-  
14 portation of passengers for hire and meeting annual renewal  
15 inspection requirements of section 19. AT THE TIME OF PAYMENT OF  
16 THE RENEWAL FEE, THE LIMO CARRIER OF PASSENGERS SHALL VERIFY THAT  
17 2 CHECKS OF THE DRIVING RECORD OF EACH DRIVER WAS MADE FROM THE  
18 DRIVER RECORDS OF THE SECRETARY OF STATE DURING THE PRECEDING  
19 12-MONTH CERTIFICATE PERIOD. THE DRIVING RECORD CHECKS SHALL BE  
20 MADE NOT LATER THAN JUNE 15 FOR THE PERIOD FROM JANUARY 1 TO MAY  
21 31 AND NOT LATER THAN JANUARY 15 FOR THE PERIOD FROM JUNE 1 TO  
22 DECEMBER 31. An annual renewal fee of \$500.00 shall be paid for  
23 any limousine not meeting the annual renewal inspection require-  
24 ment of section 19.

25          (2) For newly acquired limousines purchased by a limo car-  
26 rier of passengers who holds a certificate of authority issued  
27 under this act to provide transportation for hire, the carrier

1 shall pay to the department a maximum \$50.00 fee per limousine to  
2 obtain a current year certification after inspection required  
3 pursuant to section 19.

4 (3) All certificates granted by the department terminate on  
5 the last day of February of each year unless renewed on or before  
6 that date with payment of the appropriate fee prescribed by this  
7 section. The certificate of any limo carrier of passengers who  
8 is delinquent in payment of fees required to be paid by this sec-  
9 tion is canceled and revoked on or after March 1 of the year for  
10 which renewal should have been made under the requirements of  
11 this section, and the limo carrier of passengers shall be prohib-  
12 ited from operating any of its vehicles upon or over the highways  
13 of this state. All privileges granted the limo carrier of pas-  
14 sengers under the expiring certificate shall cease.

15 Sec. 31. (1) A limo carrier of passengers, or an officer or  
16 agent of a limo carrier of passengers, who requires or permits a  
17 driver or operator to drive or operate a limousine in violation  
18 of this act, or a rule promulgated under this act, is guilty of a  
19 misdemeanor, punishable by a fine of not more than ~~-\$500.00-~~  
20 \$2,500.00 or by imprisonment for not more than ~~-90-~~ 120 days, or  
21 both.

22 (2) IF A LIMO CARRIER OF PASSENGERS FAILS TO CHECK THE DRIV-  
23 ING RECORDS OF DRIVERS PURSUANT TO SECTION 21(1) OR VIOLATES THE  
24 TERMS OF THE CONTRACT REQUIRED BY SECTION 11(2) , THE DEPARTMENT,  
25 WITH THE COOPERATION OF THE DEPARTMENT OF STATE POLICE, MAY CHECK  
26 THE RECORDS OF EACH DRIVER CURRENTLY EMPLOYED BY THE LIMO CARRIER  
27 OF PASSENGERS TO DETERMINE WHETHER THERE HAS BEEN A VIOLATION OF

1 THIS ACT. A LIMO CARRIER OF PASSENGERS WHO FAILS TO CHECK THE  
2 DRIVING RECORDS OF DRIVERS PURSUANT TO SECTION 21(1) OR WHO VIO-  
3 LATES THE TERMS OF THE CONTRACT REQUIRED BY SECTION 11(2) IS  
4 SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$2,500.00 FOR EACH  
5 DRIVER HIRED IN VIOLATION OF THIS ACT.