

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4641

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 6 and 7 (MCL 257.6 and 257.7), section 6 as
amended by 2002 PA 534, and by adding sections 12c, 25c, 25d, 40c,
67c, 67d, 76a, 76b, 76c, 76d, and 518b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) Except as otherwise provided in subsection (3),
2 "chauffeur" means any of the following:

3 (a) A person who operates a motor vehicle as a motor ~~common~~
4 ~~carrier of property or a motor contract carrier of property as~~
5 ~~defined in section 1(f) and (h) of~~ **UNDER** the motor carrier act,
6 1933 PA 254, MCL 475.1 **TO 479.42**, or a motor carrier of passengers
7 as defined in section 3 of the motor bus transportation act, 1982
8 PA 432, MCL 474.103.

1 (b) A person who is employed for the principal purpose of
2 operating a motor vehicle with a GVWR of 10,000 pounds or more.

3 (c) A person who operates a bus or school bus.

4 ~~(d) A person who operates a taxi.~~

5 ~~(e) A person who operates a limousine as defined by section 3~~
6 ~~of the limousine transportation act, 1990 PA 271, MCL 257.1903.~~

7 (2) For purposes of subsection (1)(b), a person shall be
8 considered to be employed for the principal purpose of operating a
9 motor vehicle when the person's employment customarily involves the
10 ~~necessary use of a motor vehicle for hire or for transporting~~
11 ~~passengers for hire, or for transporting for gain or hire any~~
12 merchandise for display, sale, or delivery.

13 (3) "Chauffeur" does not include any of the following:

14 (a) A farmer or an employee of a farmer operating a vehicle
15 exclusively in connection with the farming operations of the
16 farmer.

17 (b) A fire fighter or a member of a fire department operating
18 an ambulance.

19 (c) Emergency medical services personnel operating an
20 ambulance. As used in this subdivision, "emergency medical services
21 personnel" means that term as defined in section 20904 of the
22 public health code, 1978 PA 368, MCL 333.20904.

23 (d) State transportation department employees whose work
24 consists of operating vehicles with a gross vehicle weight rating
25 of 10,000 pounds or more for the purpose of transporting highway
26 and bridge maintenance materials and supplies for all aspects of
27 state trunkline maintenance, including winter maintenance and

1 facilities maintenance.

2 (e) County road commission employees and other employees of
3 local units of government who do not drive their own vehicles and
4 whose work consists of hauling road building materials and supplies
5 for the road commission or for other municipal purposes.

6 (f) A person operating a motor vehicle for a volunteer program
7 who only receives reimbursement for the costs of operating the
8 motor vehicle.

9 (g) A person who operates a motor home for personal pleasure.

10 (h) A parent or parent's designee for the purpose of
11 transporting pupils to or from school and school related events.

12 **(I) A TRANSPORTATION NETWORK COMPANY DRIVER.**

13 **(J) A LIMOUSINE DRIVER.**

14 **(K) A TAXICAB DRIVER.**

15 Sec. 7. "Commercial vehicle" includes all motor vehicles used
16 for the transportation of passengers for hire, or constructed or
17 used for transportation of goods, wares, or merchandise, ~~and/or~~ **AND**
18 all motor vehicles designed and used for drawing other vehicles ~~and~~
19 **THAT ARE** not ~~so~~ constructed ~~as~~ to carry ~~any~~ **A** load ~~thereon~~ ~~either~~
20 independently or any part of the weight of a vehicle or load ~~so~~
21 **BEING** drawn. **COMMERCIAL VEHICLE DOES NOT INCLUDE A LIMOUSINE**
22 **OPERATED BY A LIMOUSINE DRIVER, A TAXICAB OPERATED BY A TAXICAB**
23 **DRIVER, OR A PERSONAL VEHICLE OPERATED BY A TRANSPORTATION NETWORK**
24 **COMPANY DRIVER.**

25 **SEC. 12C. "DIGITAL NETWORK" MEANS THAT TERM AS DEFINED IN**
26 **SECTION 2 OF THE LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK**
27 **COMPANY ACT.**

1 SEC. 25C. "LIMOUSINE" MEANS THAT TERM AS DEFINED IN SECTION 2
2 OF THE LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY ACT.

3 SEC. 25D. "LIMOUSINE DRIVER" MEANS THAT TERM AS DEFINED IN
4 SECTION 2 OF THE LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK
5 COMPANY ACT.

6 SEC. 40C. "PERSONAL VEHICLE" MEANS THAT TERM AS DEFINED IN
7 SECTION 2 OF THE LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK
8 COMPANY ACT.

9 SEC. 67C. "TAXICAB" MEANS THAT TERM AS DEFINED IN SECTION 2 OF
10 THE LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY ACT.

11 SEC. 67D. "TAXICAB DRIVER" MEANS THAT TERM AS DEFINED IN
12 SECTION 2 OF THE LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK
13 COMPANY ACT.

14 SEC. 76A. "TRANSPORTATION NETWORK COMPANY" MEANS THAT TERM AS
15 DEFINED IN SECTION 2 OF THE LIMOUSINE, TAXICAB, AND TRANSPORTATION
16 NETWORK COMPANY ACT.

17 SEC. 76B. "TRANSPORTATION NETWORK COMPANY DRIVER" MEANS THAT
18 TERM AS DEFINED IN SECTION 2 OF THE LIMOUSINE, TAXICAB, AND
19 TRANSPORTATION NETWORK COMPANY ACT.

20 SEC. 76C. "TRANSPORTATION NETWORK COMPANY PREARRANGED RIDE"
21 MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE LIMOUSINE, TAXICAB,
22 AND TRANSPORTATION NETWORK COMPANY ACT.

23 SEC. 76D. "TRANSPORTATION NETWORK COMPANY RIDER" MEANS THAT
24 TERM AS DEFINED IN SECTION 2 OF THE LIMOUSINE, TAXICAB, AND
25 TRANSPORTATION NETWORK COMPANY ACT.

26 SEC. 518B. (1) ALL OF THE FOLLOWING TYPES OF AUTOMOBILE
27 INSURANCE SATISFY THE FINANCIAL RESPONSIBILITY REQUIREMENTS OF THIS

1 CHAPTER:

2 (A) DURING THE TIME THAT A TRANSPORTATION NETWORK COMPANY
3 DRIVER IS LOGGED ON TO THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
4 NETWORK AND IS AVAILABLE TO RECEIVE TRANSPORTATION REQUESTS BUT IS
5 NOT ENGAGED IN A TRANSPORTATION NETWORK COMPANY PREARRANGED RIDE,
6 ALL OF THE FOLLOWING TYPES OF AUTOMOBILE INSURANCE:

7 (i) RESIDUAL THIRD PARTY AUTOMOBILE LIABILITY INSURANCE AS
8 REQUIRED UNDER CHAPTER 31 OF THE INSURANCE CODE OF 1956, 1956 PA
9 218, MCL 500.3101 TO 500.3179, IN THE AMOUNT OF AT LEAST \$50,000.00
10 PER PERSON FOR DEATH OR BODILY INJURY, \$100,000.00 PER INCIDENT FOR
11 DEATH OR BODILY INJURY, AND \$25,000.00 FOR PROPERTY DAMAGE.

12 (ii) PERSONAL PROTECTION INSURANCE AND PROPERTY PROTECTION
13 INSURANCE IN THE AMOUNTS AND OF THE TYPES OF COVERAGE REQUIRED BY
14 CHAPTER 31 OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.3101
15 TO 500.3179.

16 (B) DURING THE TIME THAT A TRANSPORTATION NETWORK COMPANY
17 DRIVER IS ENGAGED IN A TRANSPORTATION NETWORK COMPANY PREARRANGED
18 RIDE, ALL OF THE FOLLOWING TYPES OF AUTOMOBILE INSURANCE:

19 (i) RESIDUAL THIRD PARTY AUTOMOBILE LIABILITY INSURANCE WITH A
20 MINIMUM COMBINED SINGLE LIMIT OF \$1,000,000.00 FOR ALL BODILY
21 INJURY OR PROPERTY DAMAGE.

22 (ii) PERSONAL PROTECTION INSURANCE AND PROPERTY PROTECTION
23 INSURANCE IN THE AMOUNTS AND OF THE TYPES OF COVERAGE REQUIRED BY
24 CHAPTER 31 OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.3101
25 TO 500.3179.

26 (2) THIS SECTION ONLY APPLIES TO AUTOMOBILE INSURANCE OBTAINED
27 BY A TRANSPORTATION NETWORK COMPANY DRIVER OR A TRANSPORTATION

1 **NETWORK COMPANY.**

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

4 Enacting section 2. This amendatory act does not take effect
5 unless House Bill No. 4637 of the 98th Legislature is enacted into
6 law.