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BILL



ANALYSIS

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Senate Bill 726 (as introduced 12-13-17)  
Sponsor: Senator Tom Casperson  
Committee: Transportation

Date Completed: 4-17-18

### **CONTENT**

**The bill would amend the Motor Carrier Safety Act to revise the designation of enforcement personnel, and delete reference to certain Federal forms, in provisions that make exceptions to Federal motor carrier safety regulations adopted in the Act.**

Under the Act, Michigan adopts specified provisions of Title 49 (Transportation) of the Code of Federal Regulations on file with the Office of the Secretary of State, except where modified by the Act.

The adopted provisions include motor carrier safety regulations, subject to several exceptions. Where "special agent of the federal motor carrier safety administration", "administration personnel", or "hazardous materials enforcement specialist" appears, it means either a peace officer or an enforcement member of the Motor Carrier Division of the Michigan Department of State Police. The bill would refer to the Commercial Vehicle Enforcement Division, instead.

The Act also specifies that where MCS 63 appears, it means MC 9 and MC 9b, and where MCS 64 appears, it means UD 70. The bill would delete these provisions.

(Form MCS 63, Driver-Equipment Compliance Check, is used to record findings from motor vehicles selected for final inspection by authorized employees. Form MCS 64, an "Out of Service Vehicle" sticker, must be used to mark vehicles "out of service".)

The bill states the following: "This amendatory act updates the reference to title 49 of the code of federal regulations to incorporate by reference the provisions of title 49 of the code of federal regulations as of the effective date of this amendatory act."

MCL 480.11a

Legislative Analyst: Drew Krogulecki

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.