

***** Act 432 of 1982 THIS TITLE, BEGINNING WITH THE FIRST INSTANCE OF "AN ACT," IS AMENDED EFFECTIVE MARCH 21, 2017; THIS AMENDED TITLE, BEGINNING WITH THE SECOND INSTANCE OF "AN ACT," IS EFFECTIVE MARCH 21, 2017 *****

MOTOR BUS TRANSPORTATION ACT
Act 432 of 1982

AN ACT to regulate persons who transport passengers by motor bus; to prescribe powers and duties for the state transportation department; to impose certain fees; and to impose penalties. AN ACT to regulate persons who transport passengers by motor bus; to prescribe powers and duties for the state transportation department; to impose certain fees; to impose penalties; and to repeal acts and parts of acts.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

The People of the State of Michigan enact:

474.101 Short title.

Sec. 1. This act shall be known and may be cited as the “motor bus transportation act”.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982.

***** 474.103 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.103.amended *****

474.103 Definitions.

Sec. 3. As used in this act:

(a) “Certificate of authority” means a certificate of authority issued under the terms of this act unless the context indicates otherwise.

(b) “Department” means the state transportation department.

(c) “For hire” means for remuneration or reward of any kind, paid or promised, either directly or indirectly.

(d) “Lessor” means a person who leases a motor bus to any other person for the transportation of passengers for hire over the public highways of this state.

(e) “Motor bus” means a self-propelled motor vehicle used in the transportation of passengers and their baggage for hire upon any public highway of this state with a maximum seating capacity of 10 persons or more, or 16 persons or more if the limousine transportation act is enacted into law, including the driver. Motor bus does not include a self-propelled motor vehicle having a seating capacity of 15 passengers or less that is used by or on behalf of an employer to transport its employees to and from their place of employment.

(f) “Motor carrier of passengers” means a person who, either directly or through any device or arrangement, holds himself or herself out to the public as willing to undertake for hire to transport by motor bus from place to place over the public highways of this state persons who may choose to employ him or her for that purpose or for the purpose of transporting package express, baggage of passengers, newspapers, or United States mail in the same vehicle used to transport passengers.

(g) “Person” means an individual, sole proprietorship, partnership, association, corporation, or other legal entity, or the lessee, trustee, or receiver of any of these entities; this state; a city, village, township, or county of this state; the federal government; or an employee, officer, or agent of any of these units of government.

(h) “Public highway” means a highway, road, street, avenue, alley, or thoroughfare of any kind, or a bridge, tunnel, or subway used by the public.

(i) “The public” means that part or portion of the general public which the motor carrier is ready, able, willing, and equipped to serve.

(j) “Through any device or arrangement” means any and all methods, means, agreements, circumstances, operations, or subterfuges under which a person undertakes for hire to conduct, direct, control, or otherwise perform the transportation of passengers by motor bus service upon the public highways of this state.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.103.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.103.amended Definitions.

Sec. 3. As used in this act:

(a) “Applicant” means a person who applies for an authority under this act.

(b) “Authority” means an authority issued under this act. Authority includes an original annual authority, a reinstatement authority, and a renewal authority.

(c) “Authorized seasonal vehicle” means an authorized vehicle that satisfies both of the following:

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(i) The department has approved the vehicle to be used in service for a contiguous period of time that does not exceed 6 months.

(ii) The vehicle satisfies the inspection and insurance requirements of this act during the period the vehicle has been approved for use.

(d) "Authorized vehicle" means a vehicle operated by a motor carrier that complies with all requirements of this act.

(e) "Bus" means a motor vehicle with a seating capacity of 9 or more passengers, including the driver, that is used in the transportation of passengers and their baggage for hire upon any public highway of this state. Except as otherwise provided in section 4(1)(j), bus includes a school bus.

(f) "Department" means the state transportation department.

(g) "For hire" means for remuneration or reward of any kind, paid or promised, either directly or indirectly.

(h) "Motor carrier" means a person who, either directly or through any device or arrangement, holds himself or herself out to the public as willing to transport passengers for hire by bus over the public highways of this state.

(i) "Original annual authority" means the first authority applied for and received by a motor carrier under this act.

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

(k) "Public highway" means a highway, road, street, avenue, alley, or thoroughfare of any kind, or a bridge, tunnel, or subway used by the public.

(l) "Reinstatement authority" means an authority issued to a motor carrier whose original annual authority or original seasonal authority was previously revoked under this act.

(m) "Renewal authority" means an authority for the continuation of a prior original annual authority or an original seasonal authority that remained in good standing, or the continuation of a reinstatement authority.

(n) "Roster" means a list of buses to be operated for hire by a motor carrier that is authorized or seeking authorization under this act and that indicates all of the following information:

(i) The vehicle identification number, make, model, fleet number, and year of each vehicle.

(ii) The beginning and ending dates of service for each seasonal vehicle.

(o) "Safety inspector" means an individual designated by the department to conduct safety inspections under this act.

(p) "Service" means the movement of passengers by bus.

(q) "The public" means the part or portion of the general public that the motor carrier is ready, able, willing, and equipped to serve.

(r) "Through any device or arrangement" means any and all methods, means, agreements, circumstances, operations, or subterfuges under which a person undertakes for hire to conduct, direct, control, or otherwise perform the transportation of passengers by bus service upon the public highways of this state.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.104 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.104.amended *****

474.104 Applicability.

Sec. 4. (1) This act shall not apply to a motor carrier of passengers that is any of the following:

(a) A county, city, township, or village as provided by law, or other authority incorporated under Act No. 55 of the Public Acts of 1963, as amended, being sections 124.351 to 124.359 of the Michigan Compiled Laws. Each authority and governmental agency incorporated under Act No. 55 of the Public Acts of 1963 shall have the exclusive jurisdiction to determine its own contemplated routes, hours of service, estimated transit vehicle miles, costs of public transportation services, and projected capital improvements or projects within its service area.

(b) An authority incorporated under the metropolitan transportation authorities act of 1967, Act No. 204 of the Public Acts of 1967, as amended, being sections 124.401 to 124.426 of the Michigan Compiled Laws, or that operates a transportation service pursuant to an interlocal agreement under the urban cooperation act of 1967, Act No. 7 of the Public Acts of the Extra Session of 1967, as amended, being sections 124.501 to 124.512 of the Michigan Compiled Laws.

(c) Operating under a contract entered into pursuant to Act No. 8 of the Public Acts of the Extra Session of 1967, being sections 124.531 to 124.536 of the Michigan Compiled Laws, or Act No. 35 of the Public Acts of 1951, being sections 124.1 to 124.13 of the Michigan Compiled Laws.

(d) An authority incorporated under the public transportation authority act, Act No. 196 of the Public Acts of 1986, being sections 124.451 to 124.479 of the Michigan Compiled Laws, or a nonprofit corporation organized under the nonprofit corporation act, Act No. 162 of the Public Acts of 1982, being sections 450.2101 to 450.3192 of the Michigan Compiled Laws, that provides transportation services.

(e) An authority financing public improvements to transportation systems under the revenue bond act of 1933, Act No. 94 of the Public Acts of 1933, being sections 141.101 to 141.140 of the Michigan Compiled Laws.

(2) A motor carrier of passengers exempt under subsection (1) shall operate under the requirements of this act when operating outside of the political subdivisions permitted by the authorizing statute or the contract required by the authorizing statute.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.104.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.104.amended Applicability.

Sec. 4. (1) This act does not apply to a motor carrier that is any of the following:

(a) A county, city, township, or village as provided by law, or other authority incorporated under 1963 PA 55, MCL 124.351 to 124.359.

(b) An authority incorporated under the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426, or that operates a transportation service pursuant to an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

(c) Operating under a contract entered into under 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, or 1951 PA 35, MCL 124.1 to 124.13.

(d) An authority incorporated under the public transportation authority act, 1986 PA 196, MCL 124.451 to 124.479.

(e) A regional transit authority created under the regional transit authority act, 2012 PA 387, MCL 124.541 to 124.558.

(f) A nonprofit corporation organized under the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192, and as defined by sections 501(c)(3), (4), (19), or (23) of the internal revenue code of 1986, that provides 1 or both of the following transportation services:

(i) Services that are restricted only to registered members of the nonprofit corporation.

(ii) Services that are funded under 1951 PA 51, MCL 247.651 to 247.675, through programs administered by the department.

(g) An authority financing public improvements to transportation systems under the revenue bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140.

(h) A motor carrier that operates motor vehicles only for the purpose of transporting passengers to and from funerals.

(i) A motor carrier that operates a motor vehicle that is owned or leased by or on behalf of an employer to transport its employees to and from their place of employment.

(j) A public or private school or a unit of government that owns or operates a school bus, or a privately owned school bus that is under contract with a school district, an independent school district, or a private or charter school, when that bus is used solely for the transportation of pupils to or from school, school-related events, or other uses as provided under the pupil transportation act, 1990 PA 187, MCL 257.1801 to 257.1877.

(k) A vehicle operated by a canoe or other watercraft, bicycle, or horse livery that is used only to transport clients between their primary business location and the launch or disembarkment location.

(l) An interstate motor carrier of passengers operating under a United States Department of Transportation, Federal Motor Carrier Safety Administration (USDOT-FMCSA) certificate of authority, unless required by the department as a condition of financial assistance.

(2) A motor carrier that is exempt under subsection (1) shall operate under the requirements of this act when operating outside of the exemptions described in subsection (1).

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.105 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.105.amended *****

474.105 Motor carrier of passengers; compliance with act; certificate of authority.

Sec. 5. A motor carrier of passengers shall not operate a motor bus for the transportation of persons for hire

on a public highway in this state except in accordance with this act. A motor carrier of passengers shall not operate upon a public highway without first having obtained from the department a certificate of authority.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.105.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.105.amended Motor carrier; compliance with act; authority; registration of roster.

Sec. 5. A motor carrier shall not operate a bus for the transportation of persons for hire on a public highway in this state except in accordance with this act. A motor carrier shall not operate upon a public highway without first having obtained from the department an authority. A motor carrier shall register its roster with the department, and all vehicles on the roster shall comply with the provisions of this act.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.106 THIS SECTION IS REPEALED BY ACT 349 of 2016 EFFECTIVE MARCH 21, 2017 *****

474.106 Duty of lessor.

Sec. 6. A lessor shall be required to inform any person leasing a motor bus for the transportation of passengers for hire of the requirements of this act on a motor vehicle lease agreement.

History: Add. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.107 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.107.amended *****

474.107 Certificate of authority; issuance; findings; evidence of insurance; terms or conditions.

Sec. 7. The department shall issue without a hearing a certificate of authority to a motor carrier of passengers authorizing that carrier to provide transportation services subject to the jurisdiction of the department under this act, if the department finds pursuant to section 9(1) that the carrier is fit, willing, and able to provide the transportation service authorized by the certificate of authority and to comply with this act, and if the applicant presents evidence of the acquisition of personal injury protection and property damage liability insurance as required by section 9(2). The department may attach to the exercise of the privilege granted by a certificate of authority terms or conditions as the department considers appropriate.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.107.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.107.amended Authority; issuance; findings; terms or conditions; application requirements; failure to correct noncompliance; outstanding fees; good standing required; denial of application; notice; correction of deficiency.

Sec. 7. (1) The department shall issue without a hearing an authority to a motor carrier authorizing that carrier to provide transportation services subject to the jurisdiction of the department under this act, if the department finds that the motor carrier is fit, willing, and able to provide the transportation service authorized by the authority in compliance with this act. The department may attach terms or conditions to the exercise of the privilege granted by an authority as the department considers appropriate.

(2) An application for an authority is not complete unless the applicant has complied with all applicable provisions of this act and with the application requirements of the department. If an applicant fails to comply with the application requirements of the department and fails to correct its noncompliance within 60 days after the initial application date, the application shall be canceled and any application fees paid by the applicant are forfeited.

(3) The department shall not issue or renew an authority to a motor carrier if the motor carrier owes outstanding fees to the department.

(4) An authority covers a motor carrier and the authorized vehicles listed on the roster of the motor carrier. A motor carrier and at least 1 vehicle on its roster shall remain in good standing during the time period covered by the authority or the authority is automatically revoked. To remain in good standing as required by this subsection, a motor carrier shall do all of the following:

- (a) Submit an accurate roster to the department and notify the department of any changes to the roster.
- (b) Pay all fees by the due date.
- (c) Maintain insurance for each authorized vehicle on the roster.
- (d) Ensure that each authorized vehicle on the roster complies with the inspection requirements of this act.

(5) If the department denies an application for an authority, the department shall notify the applicant of the denial in writing and the reasons for the denial. An applicant whose application is denied may, within 30 days after the date of the denial, correct any deficiency in the application and reapply for an authority without payment of an additional application fee.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.109 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.109.amended *****

474.109 Determination of eligibility for certificate of authority; consideration; acquisition of insurance; waiver; failure to satisfy subsections (1) and (2) or (3).

Sec. 9. (1) In determining the fitness, willingness, and ability of an applicant for a certificate of authority to provide transportation service, the department shall consider all of the following before issuing the original certificate of authority:

(a) The applicant's safety record.

(b) The character and condition of each motor bus and whether it may be operated safely upon the public highways based on an inspection conducted by the department under section 16.

(c) The applicant's financial ability to provide continuous insurance coverage as required by subsection (2) or (3) and to have adequate financial resources in order to pay for damage claims against the applicant.

(2) An applicant shall acquire the following liability insurance coverage for acts or omissions of the applicant as a motor carrier of passengers:

(a) Bodily injury and property damage liability insurance with a minimum combined single limit of \$5,000,000.00 for all persons injured or for property damage.

(b) Personal protection insurance and property protection insurance as required by chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3119. A motor common carrier of passengers shall maintain the insurance described in this subsection as a condition of maintaining a certificate of authority issued under this act.

(3) The insurance requirements of subsection (2) are waived if the applicant qualifies for and obtains a certificate of self-insurance from the commissioner of the office of financial and insurance regulation under section 3101d of the insurance code of 1956, 1956 PA 218, MCL 500.3101d.

(4) An applicant that does not satisfy subsection (1) and either subsection (2) or subsection (3) shall not be issued a certificate of authority to provide transportation service under this act.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1986, Act 84, Imd. Eff. Apr. 24, 1986;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 1996, Act 432, Imd. Eff. Dec. 2, 1996;—Am. 2012, Act 570, Eff. Jan. 2, 2013.

***** 474.109.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.109.amended Eligibility of applicant; determination; consideration.

Sec. 9. (1) In determining the eligibility of an applicant for an authority to provide transportation service, the department shall consider all of the following:

(a) Whether the applicant has paid the required fees under section 17.

(b) Whether the character and condition of each bus on the applicant's roster is such that it may be operated safely upon the public highways based on an inspection conducted in accordance with this act.

(c) Whether the applicant has proof of insurance coverage as required by section 10.

(d) Whether the applicant has provided the department with details of any fixed route service that the applicant will provide in this state, if applicable.

(e) Whether the applicant has met all other requirements of this act.

(2) The department shall not issue an authority to an applicant that does not meet the eligibility requirements described in subsection (1).

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1986, Act 84, Imd. Eff. Apr. 24, 1986;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 1996, Act 432, Imd. Eff. Dec. 2, 1996;—Am. 2012, Act 570, Eff. Jan. 2, 2013;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.110.added THIS ADDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.110.added Liability insurance coverage; condition for maintaining authority; waiver; cancelation or coverage below required level as automatic revocation of authority; notification rights to department.

Sec. 10. (1) An applicant shall acquire the following liability insurance coverage for acts or omissions of the applicant as a motor carrier:

(a) For buses with a seating capacity of between 9 and 15 passengers, including the driver, bodily injury and property damage liability insurance with a minimum combined single limit of \$1,500,000.00 for all persons injured or for property damage.

(b) For buses with a seating capacity of 16 or more passengers, including the driver, bodily injury and property damage liability insurance with a minimum combined single limit of \$5,000,000.00 for all persons injured or for property damage.

(c) Personal protection insurance and property protection insurance as required by chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179.

(2) A motor carrier shall maintain the insurance coverage described in subsection (1) as a condition of maintaining an authority issued under this act. For each authorized seasonal vehicle, a motor carrier shall maintain the insurance coverage described in subsection (1) during the approved seasonal period.

(3) The insurance requirements of subsection (1) are waived if the applicant qualifies for and obtains a certificate of self-insurance from the commissioner of the office of financial and insurance services under section 3101d of the insurance code of 1956, 1956 PA 218, MCL 500.3101d.

(4) Except as otherwise provided in this act, if a motor carrier cancels the insurance coverage required under this section for any reason or if the coverage level falls below the levels provided in subsection (1), the authority issued to that motor carrier is automatically revoked.

(5) A motor carrier shall grant notification rights to the department for all insurance policies required under this act to ensure that the department is notified of all activities related to the policy, including cancellation and replacement.

History: Add. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.111 THIS SECTION IS REPEALED BY ACT 349 of 2016 EFFECTIVE MARCH 21, 2017 *****

474.111 Application for certificate of authority; notice of denial; reapplication.

Sec. 11. (1) The department shall approve or deny an application for a certificate of authority within 90 days after the complete application is filed with the department.

(2) If the department denies an application for a certificate of authority, the department shall notify the applicant in writing of the reason or reasons for the denial, and the applicant shall have 30 days from the date of denial to correct any deficiency and reapply without payment of an additional application fee.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982.

***** 474.113 THIS SECTION IS REPEALED BY ACT 349 of 2016 EFFECTIVE MARCH 21, 2017 *****

474.113 Original certificate of authority; fees.

Sec. 13. An applicant for an original certificate of authority shall pay to the department a filing fee of \$300.00 and a fee of \$25.00 times the number of motor buses to be used by the carrier to provide transportation for hire.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.115 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.115.amended *****

474.115 Issuance of certificate of authority without making determination of eligibility.

Sec. 15. The department shall issue a certificate of authority as provided in this act to a motor common carrier of passengers who holds either a valid permit as a contract motor carrier of passengers or a valid certificate of authority as a common motor carrier of passengers under the motor carrier act, Act No. 254 of the Public Acts of 1933, as amended, being sections 475.1 to 479.49 of the Michigan Compiled Laws, on the day immediately before the effective date of this act, without making the determination required by section 9(1) if the department determines that the carrier has met the insurance requirements of section 9(2).

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982.

***** 474.115.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.115.amended Display of motor carrier's legal or assumed name; requirements.

Sec. 15. Except as otherwise provided in this section, each bus on a motor carrier's roster shall display the motor carrier's legal name or assumed name as listed on its application for authority or official request for name change as submitted to the department and primary telephone number on both sides of the bus in a color that is in sharp contrast to the background color and in a size that is visible from a distance of at least 50 feet. The display required under this section shall meet the vehicle identification requirements of 49 CFR parts 390

to 399. A school bus is not required to display a primary telephone number.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.116 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.116.amended *****

474.116 Inspections.

Sec. 16. (1) Each motor carrier of passengers who holds a certificate of authority issued under this act shall permit the department to inspect each motor bus once annually, or more frequently if necessary to determine the current character and condition of the motor bus.

(2) Each motor bus operated by the motor carrier of passengers under its certificate of authority shall pass the safety inspection which meets the department's specifications for safe operating character and condition for the renewal of certificate.

(3) A motor bus that does not pass a required departmental inspection under this section shall not be operated over the public highways of this state.

(4) Instead of an inspection by the department under subsection (1), an applicant for a certificate of authority or a renewal of a certificate of authority may provide evidence of a current year motor bus inspection by a state, district, or province that has standards comparable to the federal motor carrier safety periodic inspection standards. The department shall issue a list of the states, districts, or provinces that have standards comparable to the federal standards promulgated under 49 C.F.R. part 396.

History: Add. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 1996, Act 421, Imd. Eff. Nov. 22, 1996.

***** 474.116.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.116.amended Inspections.

Sec. 16. (1) To maintain authorized status for a bus, a motor carrier shall ensure that the bus passes a valid inspection as provided in this section and that the condition of the bus is maintained between inspections.

(2) Beginning on January 1, 2017, for an inspection of a bus to be a valid inspection, all of the following shall be satisfied:

(a) An inspection has been scheduled at the department's convenience.

(b) The inspector of the bus indicates on an inspection report prepared by the department that the bus has passed the inspection before the expiration of the previous inspection.

(c) If the inspection is of a seasonal bus, the inspection occurred no earlier than 30 days before the beginning of the approved seasonal period for that bus.

(d) The department shall accept an inspection conducted by the department of state police if that inspection meets the requirements of this act.

(3) A bus that does not have a valid inspection under this section shall not be operated over the public highways of this state.

(4) A motor carrier is subject to all of the following penalties for each bus that does not have a valid inspection as required by this section:

(a) A motor carrier shall be assessed a fee of \$250.00 for each inspection that is conducted between 1 and 30 days late, and a fee of \$500.00 for each inspection that is conducted 31 or more days late. This fee shall be in addition to any fee assessed under subdivision (b). The department may waive the fee provided for in this subdivision if the late inspection was primarily caused by the schedule of the safety inspector. A vehicle that fails an inspection is subject to the late inspection fees described in this subdivision.

(b) The motor carrier shall be assessed a \$100.00 reinspection fee for each inspection after an initial failed inspection until the vehicle passes or is permanently removed from service.

(c) A motor carrier that is assessed a reinspection fee under subdivision (b) shall pay the reinspection fee before the department conducts the reinspection on the vehicle for which the reinspection fee was assessed.

(5) Instead of an inspection by the department under subsection (2), a motor carrier may, no later than the end of the month in which the inspection expires, provide evidence of a current year inspection by a state, district, province, or local municipality that has standards comparable to the federal motor carrier safety periodic inspection standards and that has been approved by the department. The department may issue a list of the states, districts, provinces, and local municipalities that have standards comparable to the federal standards promulgated under 49 CFR part 396.

(6) A motor carrier shall maintain a copy of a current valid inspection report on board each bus at all times, and the report shall be made available for review upon demand by an authorized federal, state, or local official.

(7) If the department has reasonable cause to believe that a bus is unsafe for operation or has not been

inspected as required by this act or rules promulgated under this act, a department safety inspector may inspect the bus. If the bus is not in compliance with this act, the department may require the motor carrier to place the bus out of service until all violations have been corrected or eliminated.

(8) Upon satisfactory completion of a valid inspection of a bus as required by this act and payment of all required fees by the motor carrier, the department shall issue a decal indicating the expiration date of the inspection for that bus. A decal issued under this subsection is property of this state. A motor carrier shall not use a bus displaying an expired decal to provide for-hire passenger service.

(9) A motor carrier shall not operate a bus over the public highways of this state if that bus does not have a properly displayed current decal issued by the department under subsection (8).

(10) The department may require a motor carrier to return a decal issued under subsection (8) to the department if the bus upon which that decal was displayed is removed from the motor carrier's roster by the department or the motor carrier. A motor carrier that fails to return a decal within 30 days after a request by the department shall pay a \$50.00 fee.

(11) The department may waive the inspection and renewal requirements of this act for a bus that is not being used in this state for a motor carrier that is located outside of this state if the motor carrier submits a roster that indicates which of its vehicles will be used exclusively outside of this state for at least 1 year. The roster must be submitted before the affected vehicle ceases to comply with this act. The motor carrier may put the bus back into service in this state after at least 1 year by submitting a revised roster and complying with all other provisions of this act.

(12) Until the department conducts an inspection as provided in this act, or January 1, 2018, whichever is later, an inspection that was conducted and passed in accordance with this act or the limousine transportation act, 1990 PA 271, MCL 257.1901 to 257.1939, before January 1, 2017 shall be considered a valid inspection.

History: Add. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 1996, Act 421, Imd. Eff. Nov. 22, 1996;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.117 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.117.amended *****

474.117 Annual renewal fee; fee for additional motor bus; termination of certificates; delinquency; cessation of privileges.

Sec. 17. (1) Each motor carrier of passengers who holds a certificate of authority issued under this act shall pay to the department an annual renewal fee equal to \$25.00 times the number of motor buses used exclusively by the carrier to provide transportation of passengers for hire and that meet the annual renewal inspection requirements of section 16. An annual renewal fee of \$500.00 shall be paid for any motor bus not meeting the annual renewal inspection requirement of section 16.

(2) A motor carrier of passengers who holds a certificate of authority issued under this act to provide transportation for hire shall pay to the department a fee of \$25.00 per motor bus for each additional motor bus acquired during the year for the purpose of the current year inspection required by section 16.

(3) All certificates granted by the department terminate on the last day of February of each year unless renewed on or before that date with payment of the fee prescribed by subsection (1). The certificate of any motor carrier of passengers who is delinquent in payment of fees required to be paid by this section is canceled and revoked on or after March 1 of the year for which renewal should have been made pursuant to the requirements of this section, and the motor carrier of passengers shall be prohibited from operating any of its vehicles upon or over the highways of this state. All privileges granted the motor carrier of passengers under the expiring certificate shall cease.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.117.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.117.amended Annual renewal fee; submission of roster; fee for additional buses; noncompliance with section as automatic revocation.

Sec. 17. (1) An applicant for an original annual authority shall pay to the department a filing fee of \$300.00 and a fee of \$100.00 times the number of buses to be used by the applicant to provide transportation for hire under this act. The applicant shall submit its roster to the department at the time of payment.

(2) An authority issued under this act expires on March 1 of each year. No later than the last day of February each year, a motor carrier that holds an authority issued under this act shall pay to the department an annual renewal fee equal to \$100.00 times the number of buses subject to this act. The motor carrier shall submit its roster to the department at the time of payment. The department may require a carrier to submit additional documentation as part of the annual renewal process to ensure compliance with this act.

(3) A motor carrier that holds an authority issued under this act that wishes to have additional buses authorized under its authority between annual renewal periods shall pay to the department a fee of \$100.00 times the number of buses being added to its roster. The motor carrier shall submit its updated roster to the department at the time of payment. A motor carrier shall ensure that each bus added to a roster under this subsection complies with all requirements of this act.

(4) The authority of a motor carrier that does not comply with this section shall be automatically revoked on March 1, and the motor carrier must apply for and be issued a new authority before resuming service.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.121 THIS SECTION IS REPEALED BY ACT 349 of 2016 EFFECTIVE MARCH 21, 2017 *****

474.121 Authority to transport other than passengers.

Sec. 21. Upon request of a motor carrier of passengers, a certificate of authority that is issued to the motor carrier of passengers shall include authority to transport newspapers, baggage of passengers, package express, or United States mail in the same motor bus with the passengers and, in addition, shall include authority to transport in a separate motor vehicle baggage of passengers and package express having a prior or subsequent movement by motor bus.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.123 THIS SECTION IS AMENDED EFFECTIVE MARCH 29, 2017: See 474.123.amended *****

474.123 Temporary authority for transportation of passengers; duration.

Sec. 23. If there is an immediate and urgent need for the transportation of passengers to a point or between points within this state, the department may grant upon a proper application temporary authority for that service by a person having a certificate of authority or by an applicant for a certificate of authority. A temporary authority granted by the department under this section, unless suspended or revoked for good cause, shall be valid for the time which the department specifies, but not to exceed 90 days.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.123.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 29, 2017 *****

474.123.amended Emergency certificate of authority for transportation of passengers; duration; waiver of fees; exemptions.

Sec. 23. (1) The department may grant an emergency certificate of authority to a motor carrier if there is an immediate and urgent need for the transportation of passengers to a point or between points within this state. An emergency certificate of authority granted by the department under this section, unless suspended or revoked for good cause, is valid for the time specified by the department.

(2) The department may waive any or all applicable fees or other requirements under this act for a certificate granted under subsection (1).

(3) The department may exempt a motor carrier that is providing transportation to or from a special event of statewide significance from this act.

(4) Notwithstanding any other provision of this act, a person that operates a streetcar, trolley, light rail vehicle, or tram as part of a public transportation system and is not otherwise considered a motor carrier under this act is not a motor carrier for purposes of this act and is exempt from this act.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 458, Eff. Mar. 29, 2017.

***** 474.125 THIS SECTION IS REPEALED BY ACT 349 of 2016 EFFECTIVE MARCH 21, 2017 *****

474.125 Granting change to certificate of authority; requirements; application; fee.

Sec. 25. Upon application and the filing of a \$25.00 fee, the department may grant a motor carrier of passengers holding a certificate of authority under this act a change to that certificate of authority, if the department determines that the carrier has met the requirements of section 9.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.127 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.127.amended *****

474.127 Discontinuance of service; application for authority; fees; notice of application; notice of protest; hearing; basis for granting application; failure to issue final determination on application within 90 days.

Sec. 27. (1) A motor carrier of passengers holding a certificate of authority for regular route service between points within this state may apply to discontinue all or a portion of its service under this certificate of authority by filing written application with the department, payment of the fees described in section 25, and within 10 days after filing the application publish notice of the application once a day for 2 different days in a newspaper of general circulation published in each county to which the service proposed to be discontinued extends. Within 20 days after the last date of publication, any person opposing the application shall file written notice of protest with the department. If the application is not opposed, the motor carrier of passengers holding a certificate of authority may immediately discontinue the service. If the application is opposed, the department, within 20 days, may conduct a hearing on the application, with at least 10 days' notice to all interested parties.

(2) The department shall grant an application for authority to discontinue if the applicant demonstrates that intrastate revenue per mile derived from the route or routes proposed to be discontinued is less than the fully allocated cost per mile including depreciation. If the department's final determination on the application is not issued within 90 days after the last date of publication, the applicant may discontinue the service described in the application.

(3) A motor carrier of passengers holding a certificate of authority for service within this state other than regular route service may apply to discontinue all or a portion of its service under this certificate of authority by filing written application with the department and payment of the fees as described in section 25.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.127.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.127.amended Discontinuance of service; notice.

Sec. 27. A motor carrier holding an authority for regular route service between points within this state shall notify the department in writing no less than 60 days before it plans to discontinue all or a portion of its service under its authority. Within 10 days after notifying the department, the carrier shall post notice of the discontinuance of service on its website and in all ticketing locations.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.129 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.129.amended *****

474.129 Abandonment or discontinuance of service without approval prohibited; exception; effect of discontinuance of service without approval; cancellation of insurance coverage.

Sec. 29. (1) A motor carrier of passengers authorized to provide transportation service under this act shall not abandon or discontinue a service established under this act without the approval of the department, except, if applicable, as provided in section 27(2). If a motor carrier of passengers discontinues service for more than 10 days without the previous approval of the department authorizing the discontinuance, the certificate of authority issued to that carrier shall be considered revoked without any further action upon the part of the department.

(2) If the insurance coverage required under this act is canceled for any reason, the certificate of authority issued to that carrier shall be considered revoked without any further action by the department.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.129.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.129.amended Abandonment or discontinuation of service without notification prohibited; automatic revocation.

Sec. 29. A motor carrier authorized to provide regular route service under this act shall not abandon or discontinue a service established under this act without notification to the department as described in section 27. If a motor carrier discontinues service for more than 10 days without previous notification to the department, the authority issued to that carrier shall be automatically revoked without any further action by the department.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.131 THIS SECTION IS REPEALED BY ACT 349 of 2016 EFFECTIVE MARCH 21, 2017 *****

474.131 Code of federal regulations; adoption; exceptions.

Sec. 31. This state adopts the following provisions of title 49 of the code of federal regulations on file with the office of the secretary of state except where modified by this act, to provide for the safe transportation of persons, with the intent of following the policies and procedures of the United States department of transportation as they relate to title 49 of the code of federal regulations and the North American standard inspection uniform driver/vehicle inspection out of service criteria and inspection procedures: Motor carrier safety regulations, being 49 CFR part 356, part 365, part 374, part 382, part 387, parts 390 through 393, and parts 395 through 397, including appendices B and G, except for the following:

(a) Where the terms "United States department of transportation", "federal highway administration", "federal highway administrator", "director", "bureau of motor carrier safety", "office of motor carrier safety", and "federal motor carrier safety administration" appear, they shall be construed to refer to the state transportation department.

(b) Where "interstate" appears, it means intrastate or interstate, or both, as applicable, except as otherwise specifically provided in this act.

(c) Where "special agent of the federal highway administration", "special agent of the office of motor carrier safety", "special agent of the federal motor carrier safety administration", or "administration personnel" appears, it shall be construed to mean a peace officer or an enforcement member or a commercial vehicle safety inspector of the state transportation department.

History: Add. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 1996, Act 420, Imd. Eff. Nov. 22, 1996;—Am. 2001, Act 129, Imd. Eff. Oct. 15, 2001;—Am. 2005, Act 178, Imd. Eff. Oct. 20, 2005.

***** 474.132 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.132.amended *****

474.132 Administration and enforcement of act.

Sec. 32. The department may use any and all available legal and equitable remedies of a civil nature to enforce this act, an order issued, or a rule promulgated pursuant to this act. The department may employ such experts, assistants, inspectors, and other personnel as may be necessary subject to civil service rules, to enable it to administer and enforce this act. An employee of the department shall not ask or receive any fee from a person for the taking of acknowledgments or any other service. State and local police officers shall enforce this act and the rules promulgated pursuant to this act. A peace officer may arrest, on sight or upon warrant, any person found violating or having violated a provision of this act or a rule promulgated pursuant to this act. The attorney general of the state and the prosecuting attorneys of the counties of this state shall prosecute all violations of this act. When this act is violated, the offense may be prosecuted in any jurisdiction in or through which a motor bus implicated was present at the time of the violation.

History: Add. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

Administrative rules: R 474.101 et seq. of the Michigan Administrative Code.

***** 474.132.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.132.amended Impoundment; bond; forfeiture; foreclosure sale; notice; distribution of proceeds; administration and enforcement of act.

Sec. 32. (1) A police officer or a peace officer may seize and impound a vehicle that is operated by a motor carrier in violation of this act or a rule promulgated by this act or is in such a condition that the continued operation of the vehicle upon the highway would constitute an immediate hazard to the public. Upon impoundment, the vehicle is subject to a lien, subordinate to a prior lien of record, in the amount of any fine, costs, and damages that the defendant may be ordered to pay under this act. Upon impoundment, a notice shall be sent to the owner and any lienholder of record as kept by the secretary of state of the vehicle that the vehicle is available for pickup by the owner or lienholder of record as kept by the secretary of state. The notice shall be accompanied by an invoice for any outstanding charges imposed under this act. The notice shall inform the owner and any lienholder of record as kept by the secretary of state that the owner and lienholder of record as kept by the secretary of state have 30 days from the date of the notice and upon payment of applicable charges to pick up the impounded vehicle. A notice under this subsection shall be sent by the agency authorizing the impoundment of the vehicle to the applicable address on record with the secretary of state by certified mail or by another commercially available delivery service providing proof of delivery. The defendant or a person with an ownership interest in the vehicle may post with the court a cash or surety bond in the amount of \$750.00. If a bond is posted, the vehicle shall be released from impoundment. The vehicle shall also be released, and the lien shall be discharged, upon a judicial determination that the

defendant is not responsible for a violation of this act or upon payment of the fine, costs, and damages. Additionally, if the defendant is determined to be not responsible for the violation of this act, the court shall assess against the governmental entity bringing the action costs, payable to the defendant, for any damages that the defendant has sustained due to the impoundment of the vehicle.

(2) If the court determines that the defendant is responsible for the violation of this act and the defendant defaults in the payment of any fine, costs, or damages, or any installment, as ordered under this section, a bond posted under subsection (1) shall be forfeited and applied to the fine, costs, damages, or installment. The court shall certify any remaining unpaid amount to the attorney for the governmental entity bringing the action. If the owner or lienholder of record as kept by the secretary of state does not pick up the vehicle within the 30-day period described in subsection (1), the vehicle may be sold by foreclosure sale. The foreclosure sale shall be conducted in the manner provided and subject to the same rights as apply in the case of execution sales under sections 6031, 6032, 6041, 6042, and 6044 to 6047 of the revised judicature act of 1961, 1961 PA 236, MCL 600.6031, 600.6032, 600.6041, 600.6042, and 600.6044 to 600.6047.

(3) Not less than 21 days before a foreclosure sale under subsection (2), the attorney for the governmental entity bringing the action shall by certified mail send written notice of the time and place of the foreclosure sale to the owner and any lienholder of record as kept by the secretary of state. In addition, not less than 10 days before the foreclosure sale, the attorney shall twice publish notice of the time and place of the foreclosure sale in a newspaper of general circulation in the county in which the vehicle was seized. The attorney for the governmental entity bringing the action shall provide the buyer and the secretary of state with a copy of the proof of notice under this subsection to the owner and lienholder of record as kept by the secretary of state, and a bill of sale. The secretary of state shall use the documentation provided to issue the appropriate certificate of title. The proceeds of the foreclosure sale shall be distributed in the following order of priority:

(a) To discharge any lien on the vehicle that was recorded prior to the creation of the lien under subsection (1).

(b) To the clerk of the court for the payment of the fine, costs, and damages, that the defendant was ordered to pay.

(c) To discharge any lien on the vehicle that was recorded after the creation of the lien under subsection (1).

(d) To the owner of the vehicle.

(4) The department may use any and all available legal and equitable remedies of a civil nature to enforce this act, an order issued, or a rule promulgated pursuant to this act. The department may employ experts, assistants, inspectors, and other personnel as necessary subject to civil service rules, to enable it to administer and enforce this act. An employee of the department shall not ask for or receive any fee from a person for the taking of acknowledgments or any other service. State and local police officers shall enforce this act and the rules promulgated pursuant to this act. A police officer or a peace officer may arrest, on sight or upon warrant, any person found violating or having violated a provision of this act or a rule promulgated pursuant to this act. The attorney general of this state and the prosecuting attorneys of the counties of this state shall prosecute all violations of this act. A violation of this act may be prosecuted in any jurisdiction in or through which the bus implicated was present at the time of the violation.

History: Add. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

Administrative rules: R 474.101 et seq. of the Michigan Administrative Code.

***** 474.133 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.133.amended *****

474.133 Violation of act; penalty; separate offense.

Sec. 33. A person subject to this act who operates a passenger service without obtaining a certificate of authority required under this act or without meeting the insurance requirements provided in this act shall be subject to a fine of not more than \$500.00. Each violation constitutes a separate offense.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.133.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.133.amended Violation of act; penalty; separate offense.

Sec. 33. Notwithstanding any other provision of this act, a person subject to this act who operates a passenger service without obtaining an authority required under this act or without meeting the insurance requirements provided in this act shall be subject to a civil fine of not more than \$500.00. Each violation constitutes a separate offense.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

***** 474.134 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.134.amended *****

474.134 Violation of act or rule; misdemeanor; penalty.

Sec. 34. A motor carrier of passengers, or an officer or agent of a motor carrier of passengers, who requires or permits a driver or operator to drive or operate a motor bus in violation of this act, or a rule promulgated under this act, is guilty of a misdemeanor, punishable by a fine of not more than \$500.00, or by imprisonment for not more than 90 days, or both.

History: Add. 1984, Act 73, Eff. Sept. 1, 1984;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

Administrative rules: R 474.101 et seq. of the Michigan Administrative Code.

***** 474.134.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.134.amended Violation of act or rule as civil infraction; penalty.

Sec. 34. A motor carrier, or an officer or agent of a motor carrier, that requires or permits a driver or operator to drive or operate a bus in violation of this act, or a rule promulgated under this act, is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

History: Add. 1984, Act 73, Eff. Sept. 1, 1984;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

Administrative rules: R 474.101 et seq. of the Michigan Administrative Code.

***** 474.135 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.135.amended *****

474.135 Alteration, suspension, or revocation of certificate of authority.

Sec. 35. The department may alter, suspend, or revoke a certificate of authority issued under this act if the department determines in a contested case hearing held pursuant to chapter 4 of the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.271 to 24.287 of the Michigan Compiled Laws, that a person to whom a certificate of authority has been issued has willfully violated or refused to comply with this act.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

***** 474.135.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.135.amended Alteration, suspension, or revocation of authority.

Sec. 35. The department may alter, suspend, or revoke an authority issued under this act if the department determines in a contested case hearing held under chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.287, that a motor carrier to which an authority has been issued has willfully violated or refused to comply with this act. If a motor carrier is found operating a bus for the transportation of persons after its authority has been revoked under this section, the department may compel compliance with this act by proceedings in mandamus, injunction, or other appropriate civil remedy. The proceedings described in this section may be brought in any county in which the alleged violator may be sued or in Ingham County circuit court.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

474.137 Violation or evasion of act prohibited.

Sec. 37. A person shall not violate or evade the provisions of this act through any device or arrangement.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982.

***** 474.139 THIS SECTION IS AMENDED EFFECTIVE MARCH 21, 2017: See 474.139.amended *****

474.139 Rules.

Sec. 39. The department may promulgate rules to implement this act pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989.

Administrative rules: R 474.101 et seq. of the Michigan Administrative Code.

***** 474.139.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 21, 2017 *****

474.139.amended Rules.

Sec. 39. The department may promulgate rules to implement this act under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 233, Imd. Eff. Dec. 21, 1989;—Am. 2016, Act 349, Eff. Mar. 21, 2017.

Administrative rules: R 474.101 et seq. of the Michigan Administrative Code.

***** 474.141 THIS SECTION IS REPEALED BY ACT 349 of 2016 EFFECTIVE MARCH 21, 2017 *****

474.141 Conditional effective date.

Sec. 41. This act shall not take effect unless House Bill No. 5669 of the 81st Legislature is enacted into law.

History: 1982, Act 432, Imd. Eff. Dec. 29, 1982.

Compiler's note: House Bill No. 5669, referred to in this section, was approved by the Governor on December 28, 1982, and became P.A. 1982, No. 399, Imd. Eff. Dec. 28, 1982.

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