

MOTOR CARRIER SAFETY ACT OF 1963 (EXCERPT)
Act 181 of 1963

480.15 Intrastate transportation; exceptions; applicability to farm vehicle driver, public utility driver, government-owned commercial motor vehicle, certain combination of vehicles, and buses; motor vehicle engaged in seasonal construction-related activities; definitions.

Sec. 5. (1) In the case of intrastate transportation, the provisions of 49 CFR 391.21 relating to application for employment, 49 CFR 391.23 relating to investigations and inquiries, 49 CFR 391.31 relating to road tests, 49 CFR part 395 relating to hours of service, 49 CFR 383.71 and 391.41 to 391.45 to the extent that they require a driver to be medically qualified or examined and to have a medical examiner's certificate on his or her person, and the provisions of this act relating to files and records do not apply to a farm vehicle driver as defined in 49 CFR 390.5.

(2) For intrastate transportation, the provisions of this act do not apply to a self-propelled implement of husbandry or an implement of husbandry being drawn by a farm tractor or another implement of husbandry.

(3) The provisions of this act related to driver qualifications do not apply to public utility, telephone, and cable television company service employees if those employees are not otherwise being used as a regularly employed driver and are not operating a vehicle that meets the definition of a commercial motor vehicle in 49 CFR part 383.

(4) The requirements of 49 CFR part 395 do not apply to any driver of a public utility service vehicle when being used in cases of emergency. As used in this subsection, "emergency" means any instance of loss of public utility service due to an unforeseen circumstance, a natural disaster, or an act of God. A declaration of emergency by a public official is not required to constitute an emergency under this subsection.

(5) This act and the rules promulgated under this act do not apply to a commercial motor vehicle owned and operated by a unit of government or its employees, except as otherwise provided by this act, and except for 49 CFR 383.71(h) and all of 49 CFR parts 382, 391, 392, and 393.

(6) A combination of vehicles with an actual combination gross vehicle weight or a gross combination weight rating of 26,000 pounds or less, if the trailer or semitrailer has an actual gross vehicle weight or gross vehicle weight rating of 15,000 pounds or less, may be equipped with surge brakes for intrastate operation as allowed by section 705(1)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.705. Vehicles of any size that are transporting hazardous materials in an amount that requires placarding or vehicles that are designed to transport more than 8 passengers, including the driver, shall not be equipped with surge brakes for intrastate operation.

(7) Except for the purpose of granting a waiver in accordance with section 53 of the pupil transportation act, 1990 PA 187, MCL 257.1853, this act and the rules promulgated under this act do not apply to a school bus as defined in section 7 of the pupil transportation act, 1990 PA 187, MCL 257.1807, or a bus defined, and for which a certificate of authority was issued, under the motor bus transportation act, 1982 PA 432, MCL 474.101 to 474.141.

(8) A motor carrier operating entirely in intrastate commerce solely within Michigan shall not permit or require an operator of a commercial motor vehicle engaged in seasonal construction-related activities, regardless of the number of motor carriers using the operator's services, to do either of the following:

(a) Operate for any period after having been on duty 70 hours in any 7 consecutive days or having been on duty 80 hours in any period of 8 consecutive days.

(b) Operate more than 12 hours or be on duty more than 16 hours in any day.

(9) As used in subsections (3) and (4), "public utility" means a person or corporation operating equipment or facilities for producing, generating, transmitting, delivering, or furnishing gas or electricity for the production of light, heat, or power for the public for compensation.

(10) As used in this section:

(a) "Implement of husbandry" means that term as defined in section 21 of the Michigan vehicle code, 1949 PA 300, MCL 257.21.

(b) "Farm tractor" means that term as defined in section 16 of the Michigan vehicle code, 1949 PA 300, MCL 257.16.

History: Add. 1998, Act 337, Imd. Eff. Sept. 30, 1998;—Am. 2005, Act 177, Imd. Eff. Oct. 20, 2005;—Am. 2006, Act 595, Imd. Eff. Jan. 3, 2007;—Am. 2011, Act 156, Imd. Eff. Sept. 27, 2011;—Am. 2011, Act 160, Imd. Eff. Sept. 30, 2011.

Compiler's note: Former MCL 480.15, which pertained to adoption of title 49 of the code of federal regulations as of February 28, 1990 by reference, was repealed by Act 265 of 1995, Imd. Eff. Jan. 8, 1996.