



**House
Legislative
Analysis
Section**

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TRAILERS TRANSPORTING FLAMMABLE LIQUIDS

House Bill 4543 as introduced
First Analysis (6-2-87)

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JUN 12 1987

Sponsor: Rep. Virgil C. Smith, Jr.
Committee: Economic Development & Energy

Mich. State Law Library

THE APPARENT PROBLEM:

The 20,000 small businesses in Michigan (businesses employing less than 11 employees) feel that they are overburdened with expenses incurred by the red tape involved in deeds and contracts. An example of this is the requirement in the Michigan Vehicle Code that owners of certain trucks or truck tractors which transport flammable liquids file a notarized report with the state police.

THE CONTENT OF THE BILL:

Public Act 141 of 1985 specified that only those double-bottom and large single vehicles which hauled flammable liquid between March 1, 1985 and October 1, 1985 could continue to transport flammable liquids. An owner of such a vehicle was required to file a notarized statement with the Department of State Police, within 60 days of the act's effective date, ascertaining the vehicle's recent use. The statement had to be accompanied by a copy of a bill of lading or a daily log dated during the prescribed period and containing the trailer or semitrailer's permanent identification number. The bill would eliminate the requirement that the statement be notarized.

MCL 257.722a

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no fiscal implications.

BACKGROUND/INFORMATION:

The bill is part of a nine-bill package recommended by the Governor's Conference on Small Business.

ARGUMENTS:

For:

The requirement that reports be notarized is archaic — the same purpose would be served if truck owners were required to show their driver's licenses instead. The elimination of the notarization requirement is a step in the right direction to aid small business owners.

Against

Since the requirement for submitting notarized statements expired December 31, 1985 (60 days after the act became effective) this bill is no longer necessary.

POSITIONS:

The Department of Commerce supports the bill. (5-29-87)

The Michigan Trucking Association supports the bill. (5-29-87)

The Michigan Chapter of the National Federation of Independent Businesses supports the bill. (5-29-87)

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