

# HOUSE BILL No. 6282

November 5, 1998, Introduced by Rep. Profit and referred to the Committee on Transportation.

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending section 18 of article V (MCL 479.18), as amended by 1988 PA 355.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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### ARTICLE V

2       Sec. 18. (1) The commission may, upon application of any  
3 person or any motor carrier, or upon its own motion, and upon at  
4 least 10 days' notice to the parties affected thereby, for good  
5 cause, and after an opportunity to be heard, revoke, suspend,  
6 alter, amend, or modify any of its findings or orders. However,  
7 a certificate or permit shall only be amended, altered, modified,  
8 revoked, suspended, or impaired after like notice and opportunity  
9 to be heard and upon clear proof of good, just, and sufficient  
10 cause. In addition, beginning January 1, 1989, a person or motor

1 carrier may also be subject to an assessment of not to exceed  
2 \$500.00 for each violation of this act, a rule promulgated or an  
3 order issued ~~pursuant to~~ UNDER this act, or a term or condition  
4 of a certificate or permit.

5 (2) The commission may grant rehearings in all proceedings  
6 before it upon petition filed within the time allowed by law to  
7 bring proceedings for review. All orders entered pursuant to  
8 this section shall be served and take effect as provided in this  
9 act for original orders, and the time allowed by law to bring  
10 proceedings to review any order of the commission shall continue  
11 after the order denying the hearing or after the order made upon  
12 a rehearing. The commission shall keep a docket of all causes  
13 and proceedings under this act and upon request, upon payment of  
14 a reasonable fee, shall furnish any interested party fair copies  
15 of any application, answer, petition, motion, order, finding,  
16 certificate, or permit on file with, or made or issued by it in  
17 any proceeding.

18 (3) The assessments collected pursuant to this section shall  
19 be deposited in the truck safety fund established in section 25  
20 of ~~Act No. 51 of the Public Acts of 1951, being section 247.675~~  
21 ~~of the Michigan Compiled Laws~~ 1951 PA 51, MCL 247.675.

22 (4) THIS CHAPTER SHALL BE APPLICABLE AND UNIFORM THROUGHOUT  
23 THIS STATE AND IN ALL POLITICAL SUBDIVISIONS AND LOCAL UNITS OF  
24 GOVERNMENT IN THIS STATE. A LOCAL UNIT OF GOVERNMENT SHALL NOT  
25 ADOPT, ENACT, OR ENFORCE A LOCAL LAW THAT IS IN CONFLICT WITH  
26 THIS ACT.

1 (5) A LOCAL LAW OR A PORTION OF A LOCAL LAW THAT IMPOSES A  
2 CRIMINAL PENALTY FOR AN ACT OR OMISSION THAT IS A CIVIL  
3 INFRACTION UNDER THIS ACT, OR THAT IMPOSES A CRIMINAL PENALTY OR  
4 CIVIL SANCTION IN EXCESS OF THAT PRESCRIBED IN THIS ACT, IS IN  
5 CONFLICT WITH THIS ACT AND IS VOID TO THE EXTENT OF THE  
6 CONFLICT.

7 (6) PROCEEDS OF A CIVIL FINE IMPOSED BY A LOCAL UNIT OF GOV-  
8 ERNMENT FOR VIOLATION OF A LOCAL LAW REGULATING FOR-HIRE MOTOR  
9 VEHICLES AND CORRESPONDING TO THIS ACT SHALL BE PAID TO THE  
10 COUNTY TREASURER AND APPLIED EXCLUSIVELY FOR PUBLIC LIBRARIES AND  
11 COUNTY LAW LIBRARIES IN THE SAME MANNER AS IS PROVIDED BY LAW FOR  
12 PENAL FINES ASSESSED AND COLLECTED FOR VIOLATION OF A PENAL LAW  
13 OF THIS STATE.

14 (7) AS USED IN THIS SECTION, "LOCAL LAW" INCLUDES A LOCAL  
15 CHARTER PROVISION, ORDINANCE, RULE, OR REGULATION.