

Act No. 74
Public Acts of 2013
Approved by the Governor
June 25, 2013
Filed with the Secretary of State
June 25, 2013
EFFECTIVE DATE: October 1, 2013

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Rep. Kowall

ENROLLED HOUSE BILL No. 4708

AN ACT to amend 1998 PA 138, entitled "An act to regulate the transportation of certain hazardous materials; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending sections 2 and 5 (MCL 29.472 and 29.475).

The People of the State of Michigan enact:

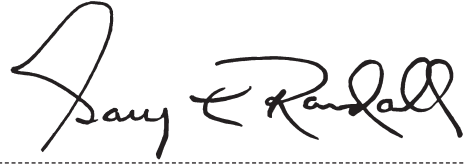
Sec. 2. As used in this act:

- (a) "Base state" means the state selected by a motor carrier according to the procedures established by the uniform program.
- (b) "Base state agreement" means the agreement between participating states electing to register or permit motor carriers.
- (c) "Department" means the department of environmental quality.
- (d) "Fund" means the environmental pollution prevention fund created in section 11130 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11130.
- (e) "Hazardous materials" means any of the following:
 - (i) "Hazardous waste" as that term is defined in section 11103 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11103.
 - (ii) "Liquid industrial waste" as that term is defined in section 12101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.12101.
- (f) "Motor carrier" means a person engaged in the transportation of hazardous materials by highway. Motor carrier includes a motor carrier's agents, officers, and representatives. Motor carrier does not include an individual operating under an exclusive lease to a motor carrier that is in compliance with this act.
- (g) "Participating state" means a state electing to participate in the uniform program by entering a base state agreement.
- (h) "Power unit" means a motor vehicle that provides motor power to the entire combination, or to the vehicle if a single unit.
- (i) "Uniform application" means the uniform registration and permit application form established under the uniform program.
- (j) "Uniform program" means the uniform state hazardous materials transportation registration and permit program established in the report submitted and amended pursuant to 49 USC 5119(b).


Sec. 5. The registration and permit fees collected under this act shall be deposited into the fund. Any balance in the hazardous materials transportation permit fund on October 1, 2013 shall not lapse to the general fund but shall be transferred to the fund and the hazardous materials transportation permit fund shall be closed.

Enacting section 1. This amendatory act takes effect October 1, 2013.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor