

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

480.21 Ordinances or resolutions inconsistent with act; "inconsistent" defined; fine for operating vehicle with serious safety defect; exception; issuance of more than 1 citation; requirements as motor carrier enforcement officer.

Sec. 11. (1) A township, city, village, county, or another state agency shall not adopt or enforce an ordinance or resolution that is inconsistent with this act or any rule promulgated pursuant to this act. As used in this section, "inconsistent" means a rule or ordinance that is more permissive than this act, that is more restrictive than this act, that would require more action, equipment, or permits than this act would require, or that prevents or obstructs compliance with this act.

(2) The fine for operating a vehicle with a serious safety defect ordered to be paid under an ordinance or resolution adopted by a township, city, village, or county that is consistent with section 7b shall be paid to the county treasurer and shall be allocated as follows:

(a) Seventy percent to the township, city, village, or county in which the citation is issued.

(b) Thirty percent for library purposes as provided by law.

(3) Subsection (2) does not apply to a fine ordered to be paid for a case in which the citation is dismissed pursuant to subsection (4).

(4) The owner or operator of a commercial motor vehicle shall not be issued more than 1 citation for each violation of a code or ordinance regulating the operation of a commercial motor vehicle and substantially corresponding to a provision of sections 683 to 725a of the Michigan vehicle code, 1949 PA 300, MCL 257.683 to 257.725a, within a 24-hour period. If the owner or operator of a commercial motor vehicle is issued a citation by a township, city, village, or county for an equipment violation that does not result in the vehicle being placed out of service, the court shall dismiss the citation if the owner or operator of that commercial motor vehicle provides written proof to the court within 14 days after the citation is issued showing that the defective equipment indicated in the citation has been repaired.

(5) In order to be classified as a motor carrier enforcement officer, a police officer must have training equal to the minimum training requirements, including any annual training updates, established by the department of state police for an officer of the motor carrier division of the department of state police. A police officer who has received training equal to these minimum training requirements before the effective date of this section is considered a motor carrier enforcement officer for purposes of this act.

History: Add. 1984, Act 23, Imd. Eff. Mar. 8, 1984;—Am. 1995, Act 265, Imd. Eff. Jan. 8, 1996;—Am. 2000, Act 98, Imd. Eff. May 15, 2000;—Am. 2005, Act 177, Imd. Eff. Oct. 20, 2005.

Compiler's note: For transfer of powers and duties of public service commission, department of licensing and regulatory affairs, under motor carrier safety act, 1963 PA 181, to Michigan state police, see E.R.O. No. 2015-3, compiled at MCL 460.21.