

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

**480.22 Transfer of hazardous material; prohibitions; exceptions; overfilling container; violation; penalty.**

Sec. 12. (1) Except as provided in subsection (2), a person, driver, owner, carrier, lessee, or lessor shall not transfer or allow to be transferred a hazardous material from a cargo tank, portable tank, or any other container to any cargo tank, portable tank, fuel tank, or any other container on a highway, road, street, or alley within this state.

(2) Subsection (1) does not apply to the following transfer situations:

(a) Fueling machinery or equipment for construction, farm, and maintenance use.

(b) Fueling emergency vehicles.

(c) Under emergency conditions, a transfer may be made provided it is approved by the local fire chief, the bureau of fire services created in section 1b of the fire prevention code, 1941 PA 207, MCL 29.1b, or a hazardous materials investigator of the motor carrier division of the department of state police pursuant to their respective authority under the fire prevention code, 1941 PA 207, MCL 29.1 to 29.34.

(3) A person shall not overfill a container, including a storage tank, during a transfer of a hazardous material from or into a vehicle, so that hazardous material is released from the package or container.

(4) The penalty for violating this section is as prescribed in section 7c.

**History:** Add. 1995, Act 265, Imd. Eff. Jan. 8, 1996;—Am. 2005, Act 177, Imd. Eff. Oct. 20, 2005;—Am. 2006, Act 204, Imd. Eff. June 19, 2006.

**Compiler's note:** For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

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.