

Act No. 249
Public Acts of 1993
Approved by the Governor
November 19, 1993
Filed with the Secretary of State
November 22, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Rep. Porreca

ENROLLED HOUSE BILL No. 4535

AN ACT to amend section 722a of Act No. 300 of the Public Acts of 1949, entitled as amended "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," as amended by Act No. 141 of the Public Acts of 1985, being section 257.722a of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 722a of Act No. 300 of the Public Acts of 1949, as amended by Act No. 141 of the Public Acts of 1985, being section 257.722a of the Michigan Compiled Laws, is amended to read as follows:

Sec. 722a. (1) Notwithstanding any other provision of this section, a truck pulling a trailer, a truck tractor pulling a semitrailer and trailer combination, or a truck tractor pulling 2 semitrailers shall not transport a flammable liquid, in bulk, which has a flash point at or below 70 degrees Fahrenheit within this state.

(2) Notwithstanding any other provision of this section other than subsections (1) and (3), a truck with a water capacity of more than 9,500 gallons or a truck tractor pulling a semitrailer with a water capacity of more than 9,500 gallons shall not transport a flammable liquid, in bulk, which has a flash point at or below 70 degrees Fahrenheit in this state, unless the existing manhole or inspection ports of each truck, semitrailer, or trailer in the vehicle combination has been equipped with devices which are capable of withstanding the forces caused by an internal pressure of 50 pounds per square inch, applied and held at least 50 milliseconds, and then released to 2 pounds per square inch, without having any residual venting of flammable liquid during the subsequent 2 pounds per square inch condition.

(3) Notwithstanding any other provision of this section, a truck or a truck tractor pulling a semitrailer shall not transport a flammable liquid, in bulk, which has a flash point at or below 70 degrees Fahrenheit in this state, if the truck or semitrailer was manufactured after July 1, 1982, or before July 1, 1982 but was not a vehicle registered in this state by the secretary of state at any time between January 1, 1985 and October 1, 1985, unless the truck or the semitrailer has a water capacity of less than 13,800 gallons.

(4) Notwithstanding any other provision of this section, a truck or truck tractor pulling a semitrailer shall not transport a flammable liquid, in bulk, which has a flash point at or below 70 degrees Fahrenheit in a quantity of more than 13,400 gallons.

(5) Notwithstanding any other provisions of this section, a truck or a truck tractor pulling a semitrailer shall not transport a flammable liquid in bulk, which has a flash point at or below 70 degrees Fahrenheit in a quantity of more than 9,000 gallons, to retail service stations located at points within a county having a population of 600,000 or more. This subsection shall apply until July 1, 1995.

(6) The owner or driver of a vehicle which transports a flammable liquid in violation of subsection (1), (2), (3), (4), or (5) is guilty of a misdemeanor, punishable by a fine of not more than \$3,000.00, or imprisonment for not more than 90 days, or both.

(7) This section shall be enforced only by a police officer or an officer appointed by the director of the department of state police pursuant to section 6d of Act No. 59 of the Public Acts of 1935, being section 28.6d of the Michigan Compiled Laws.

This act is ordered to take immediate effect.

Co-Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.