

TOWNSHIP OF ARCADIA
MOTOR CARRIER SAFETY ACT
ORDINANCE NO. 2400

An Ordinance to adopt by reference the Motor Carrier Safety Act of 1963 and provide penalties for the violation thereof.

TOWNSHIP OF ARCADIA ORDAINS:

Section 1. MOTOR CARRIER SAFETY ACT OF 1963 ADOPTED. The Motor Carrier Safety Act of 1963, Act No. 181 of Public Acts of 1963, as amended, being Michigan Compiled law 480.11-480.22, is hereby adopted by reference in this Ordinance.

Section 2. PUBLICATION. The Township Clerk shall publish this Ordinance in the manner required by law and shall at the same time publish a notice that a completed copy of the Motor Carrier Safety Act of 1963 is available at the office of the Clerk for inspection.

Section 3. PENALTY.

- A. Except as provided in 3.B, 3.C, and 3.D of this Ordinance, any driver or operator who violates this Ordinance or any owner or user of any bus, truck, truck-tractor, or trailer, or certain other motor vehicles or any officer or agents of any individual, partnership, corporation, or association their lessees or receivers appointed by any court which is the owner or user of any vehicle who requires or permits the driver or operator to operate or drive any bus, truck, truck-tractor, or trailer, or certain other motor vehicles in violation of this Ordinance is guilty of a misdemeanor for each violation punishable by imprisonment for not more than 90 days or a fine of not more than One Hundred (\$100.00) Dollars, or both.
- B. A driver or operator or an owner or user of any bus, truck, truck-tractor, or trailer, or certain other motor vehicles or any officer or agent of an individual, partnership, corporation, or association, or their lessee or receivers appointed by any court that is the owner or user of any vehicle, who requires or permits the driver or operator to operate a vehicle with a serious safety defect as defined in the Motor Carrier Safety Act of 1963 is subject to a fine of not more than Three Hundred (\$300.00) Dollars for each violation.
- C. A driver or operator or an owner or user of any bus, truck, truck-tractor, or trailer or certain other motor vehicles, or any officer or agent of an individual, partnership, corporation, or association, or their lessee or receivers appointed by any court that is the owner or user of any vehicle, who requires or permits the driver or operator to operate or drive any bus, truck, truck-tractor, or trailer or certain other motor vehicles, that violates this Ordinance if the vehicle is transporting a package required to be marked or labeled under 49 D.F.R., parts 100-180, upon conviction, is punishable by a fine of not more than Five Hundred (\$500.00) Dollars for each violation, or by imprisonment for not more than 90 days, or both.

Section 4. EFFECTIVE DATE. This Ordinance will be in effect thirty (30) days after the publication of this adopting Ordinance.

The undersigned Supervisor and Clerk of the Township of Arcadia hereby certify that this Ordinance was duly adopted by the Arcadia Township Board on the 12th day of May, 1998 and was published in The County Press on the 27th day of May, 1998.