

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

**RECEIVED****APR 17 1989**

Mich. State Law Library

Senate Bill 127 (as reported with amendments)

Sponsor: Senator James Barcia

Committee: State Affairs, Tourism, and Transportation

Date Completed: 3-8-89

**RATIONALE**

County road commissions employ "weighmasters" who are empowered to stop vehicles and examine them for conformity with legal size and weight limits. When a district court ruled that weighmasters could not make arrests or issue citations for violations because they did not have police powers, the Michigan Vehicle Code was amended in 1984 to grant authorized agents of county road commissions police powers for the limited purpose of enforcing the Code's prescriptions for the height and weight of vehicles and their loads. Not specifically included in the 1984 amendments, however, was authorization for the weighmasters to enforce the Code's provisions concerning the operation of unregistered commercial vehicles and the load limits for vehicles crossing bridges and viaducts. Some people argue that granting the weighmasters the authority to enforce these provisions would be a logical extension of their duties and responsibilities and an effective means of ensuring that motor vehicles were safely and properly operated on the State's highways, causeways and bridges.

**CONTENT**

The bill would amend the definition of "police officer" in the Michigan Vehicle Code to include authorized agents of county road commissions for the purpose of enforcing the Code's limitations on the operation of unregistered vehicles, and the speed and load limitations for vehicles traveling on bridges, causeways and viaducts. The agents' enforcement powers, however, would be limited to commercial vehicles.

When enforcing the Code's speed, load, and registration limitations, an authorized agent of a county road commission would have to wear a clearly visible shoulder patch that identified the branch of government represented. Further, the agent could not carry a firearm unless he or she met the requirements of the Michigan Law Enforcement Officers Training Council Act.

MCL 257.42 and 257.726c

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

**ARGUMENTS****Supporting Argument**

Granting weighmasters the authority to enforce the Code's limitations on the operation of unregistered vehicles and loads transported across bridges and viaducts would help ensure the safe and lawful operation of vehicles on the State's roads and maintain the State's bridge and viaduct infrastructure.

Legislative Analyst: L. Burghardt

Fiscal Analyst: F. Sanchez

**A8990\S127A**

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 127 (3-8-89)