

Act No. 257
Public Acts of 1992
Approved by the Governor
December 7, 1992
Filed with the Secretary of State
December 7, 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1992**

Introduced by Rep. Hertel

ENROLLED HOUSE BILL No. 5995

AN ACT to amend sections 717, 719a, and 719b 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," section 717 as amended by Act No. 90 of the Public Acts of 1987 and sections 719a and 719b as amended by Act No. 128 of the Public Acts of 1992, being sections 257.717, 257.719a, and 257.719b of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 717, 719a, and 719b of Act No. 300 of the Public Acts of 1949, section 717 as amended by Act No. 90 of the Public Acts of 1987 and sections 719a and 719b as amended by Act No. 128 of the Public Acts of 1992, being sections 257.717, 257.719a, and 257.719b of the Michigan Compiled Laws, are amended to read as follows:

Sec. 717. (1) The total outside width of a vehicle or the load on a vehicle shall not exceed 96 inches, except as otherwise provided in this section.

(2) A person may operate or move an implement of husbandry of any width on a highway as required for normal farming operations without obtaining a special permit for an excessively wide vehicle or load under section 725. The operation or movement of the implement of husbandry shall be in a manner so as to minimize the interruption of traffic flow. A person shall not operate or move an implement of husbandry to the left of the center of the roadway from a half hour after sunset to a half hour before sunrise, under the conditions specified in section 639, or at any time visibility is substantially diminished due to weather conditions. A person operating or moving an implement of husbandry shall follow all traffic regulations.

(3) The total outside width of the load of a vehicle hauling concrete pipe, agricultural products, or unprocessed logs, pulpwood, or wood bolts shall not exceed 108 inches.

(4) Except as provided in subsection (2), if a vehicle which is equipped with pneumatic tires is operated on a highway, the maximum width from the outside of 1 wheel and tire to the outside of the opposite wheel and tire shall not exceed 102 inches, and the outside width of the body of the vehicle or the load on the vehicle shall not exceed 96 inches.

(5) The total outside width of a bus or a motor home shall not exceed 102 inches.

(6) A vehicle shall not extend beyond the center line of a state trunk line highway except when authorized by law. Except as provided in subsection (2), if the width of the vehicle makes it impossible to stay away from the center line, a permit shall be obtained under section 725.

(7) The director of the state transportation department, a county road commission, or a local authority may designate a highway under the agency's jurisdiction as a highway on which a person may operate a vehicle or vehicle combination which is not more than 102 inches in width, including load, the operation of which would otherwise be prohibited by this section. The agency making the designation may require that the owner or lessee of the vehicle or of each vehicle in the vehicle combination secure a permit before operating the vehicle or vehicle combination. This subsection does not restrict the issuance of a special permit under section 725 for the operation of a vehicle or vehicle combination. This subsection does not permit the operation of a vehicle or vehicle combination described in section 722a carrying a load described in that section if the operation would otherwise result in a violation of that section.

(8) A person who violates this section is responsible for a civil infraction. The owner of the vehicle may be charged with a violation of this section.

Sec. 719a. (1) Notwithstanding any other provisions of this act, a person shall not operate on the highways of this state a towing vehicle to which a mobile home is attached, if that mobile home is more than 45 feet in length or more than 60 feet in length when combined with the towing vehicle, is more than 12-1/2 feet in height, and has an actual body width of more than 102 inches at base rail, unless that person possesses either of the following:

(a) A permit issued by the jurisdictional authority pursuant to this section.

(b) A special permit issued by the jurisdictional authority pursuant to section 725.

(2) The jurisdictional authority may issue to a mobile home transport company, a mobile home manufacturer, or a mobile home dealer an annual permit to move over a highway, in the ordinary course of that company's, manufacturer's, or dealer's business, a mobile home that conforms to each of the following:

(a) The mobile home is not more than 12 feet wide.

(b) The actual body length of the mobile home is no more than 80 feet and the combined length of the mobile home and towing vehicle is no more than 95 feet or the total length of a combination of mobile homes is not more than 80 feet and the total length of a combination of mobile homes and towing vehicle is not more than 95 feet.

(3) A jurisdictional authority may, in accordance with section 725, issue a special permit for the movement of a mobile home over a highway within its jurisdiction if the width of that mobile home conforms to all of the following:

(a) Before December 31, 1993, the mobile home is not more than 16 feet wide.

(b) Beginning December 31, 1993, the mobile home is not more than 14-1/3 feet wide, plus normal appurtenances that extend no more than 6 inches, and an eave that extends no more than 2 feet from the width of that mobile home, if moved in the Lower Peninsula of this state, or the mobile home is not more than 16 feet wide if moved in the Upper Peninsula of this state.

(c) The length of the mobile home complies with subsection (2)(b).

(4) A person operating a towing vehicle under subsection (3) shall transport a mobile home only on the lane farthest to the right of that person, and shall operate the towing vehicle in a manner that places the eave portion of the mobile home over the shoulder of the highway on which the mobile home is moved. A person shall not move a mobile home that is 14 or more feet in width including an eave of 2 feet when the wind velocity exceeds 25 miles per hour.

(5) A jurisdictional authority shall not issue a permit described in subsection (2) or (3) for the transport of a mobile home on a Saturday, Sunday, legal holiday, from the noon before until the noon after a holiday, or during the hours between sunset and sunrise.

(6) A jurisdictional authority shall provide and a person operating a towing vehicle shall comply with all of the following in a permit issued under this section:

(a) The date, day, and time period during which a mobile home subject to the permit may be moved on a highway.

(b) Notice that the permit is conditioned upon its holder's compliance with the permit's terms and with the law.

(c) Notice that the operator of a towing vehicle transporting the mobile home shall operate the towing vehicle on a highway as follows:

(i) At a safe speed and in a safe manner that will not impede motor traffic.

(ii) Only when the surface condition of the highway is not slippery.

(iii) In accordance with seasonal load restrictions.

(d) For a mobile home and towing vehicle that, when combined, are more than 80 feet in length or more than 12 feet wide, all of the following:

(i) Notice that the mobile home shall be equipped with 2 flashing amber lights on the rear of the mobile home and 1 flashing amber light on the top of the towing vehicle.

(ii) Notice that signs with the words "oversize load" shall be displayed on the front bumper of the towing vehicle and the back of the mobile home.

(iii) Notice that the signs identified in subparagraph (ii) shall be of durable material, in good condition, with black lettering on interstate yellow background, and that each letter shall be of block lettering not less than 12 inches high at the front and not less than 16 inches high at the rear of the unit.

(iv) Notice that a vehicle escort is required on those roads where the state police consider escort vehicles necessary for highway safety.

(7) For a mobile home being moved pursuant to this section or section 725, the distance between mobile home axle centers shall not be less than 34 inches. The axles and tires shall meet standards established by the state transportation department.

(8) This section does not grant or give authority to the state transportation department that did not exist on May 1, 1982, in accordance with section 127 of title 23 of the United States Code, 23 U.S.C. 127.

(9) A person who violates this section is responsible for a civil infraction and may be assessed a civil fine of not more than \$500.00. The owner of the towing vehicle may be charged with a violation of this section.

(10) The state transportation department shall enter into a contract for a study on the mobility, turning ability, and transporting of mobile homes that are more than 14-1/3 feet wide plus normal appurtenances that extend no more than 6 inches, and eaves that are not more than 2 feet in width. A steering committee composed of 2 representatives of the mobile home industry, 2 representatives of the department of transportation, and 2 representatives of the department of state police shall oversee the study. The department of transportation shall fund 50% of the cost of the study, and the mobile home commission fund or the mobile home industry, or both, shall fund the remaining 50% of the cost of the study. The study shall be completed and submitted to the legislature within 9 months after the date the contract for the study is executed. An interim report shall be submitted to the legislature by January 1, 1992.

(11) Notwithstanding subsection (3)(b), after December 31, 1993, a jurisdictional authority identified in section 725 may issue a permit to move a mobile home that was previously moved under a valid permit on a highway of this state pursuant to subsection (3)(a).

(12) The state transportation commission may order the state transportation department to immediately cease issuing all special permits to move on the highways of the lower peninsula of this state a mobile home that is more than 14-1/3 feet wide plus normal appurtenances that extend no more than 6 inches, and an eave that extends no more than 2 feet from the width of that mobile home upon a state transportation commission determination that those permits create an unreasonable safety hazard or hazards. The state transportation commission shall notify all other jurisdictional authorities of the determination made under this subsection. The order shall not prohibit the issuance of a special permit for the movement of a mobile home if a binding contract for the movement of that mobile home was executed before the commission determination of an unreasonable safety hazard or hazards.

(13) As used in this section:

(a) "Jurisdictional authority" means the state transportation department, a county road commission, or a local authority having jurisdiction over a highway upon which a mobile home is proposed to be moved.

(b) "Mobile home" means any of the following:

(i) A prebuilt housing module.

(ii) That term as defined in section 2 of the mobile home commission act, Act No. 96 of the Public Acts of 1987, being section 125.2302 of the Michigan Compiled Laws.

(iii) A section of a mobile home as that term is defined in subparagraph (ii).

Sec. 719b. Before December 31, 1993, all mobile homes transported on the highways of the Lower Peninsula of this state that are more than 14-1/3 feet wide, plus normal appurtenances that extend no more than 6 inches, and an eave that extends no more than 2 feet from the width of the mobile home, are subject to the following requirements in addition to the requirements of section 719a:

(a) Two escort vehicles shall escort the towing vehicle and mobile home on all 2-lane roads and on those roads where the state police consider 2 escort vehicles necessary for highway safety.

(b) Each towing vehicle shall be equipped with a radio or other device that allows for continuous communication between the towing vehicle and each escort vehicle.

(c) The person transporting the mobile home shall have in effect a liability insurance policy covering personal injury and property damage and having policy limits of not less than \$1,000,000.00.

(d) The towing vehicle and mobile home shall not exceed a speed of 45 miles per hour or 10 miles per hour below the posted speed limit, whichever is lower.

This act is ordered to take immediate effect.

.....
Clerk of the House of Representatives.

.....
Secretary of the Senate.

Approved

.....
Governor.