

Act No. 19
Public Acts of 1991
Approved by the Governor
May 7, 1991
Filed with the Secretary of State
May 8, 1991

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1991**

Introduced by Senators O'Brien, Carl, Hart and Koivisto

ENROLLED SENATE BILL No. 142

AN ACT to amend sections 719a and 725 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 vehicles operated upon the public highways of this state or any other place open to the general public 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 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 719a as amended by Act No. 284 of the Public Acts of 1986, being sections 257.719a and 257.725 of the Michigan Compiled Laws; and to add section 719b.

The People of the State of Michigan enact:

Section 1. Sections 719a and 725 of Act No. 300 of the Public Acts of 1949, section 719a as amended by Act No. 284 of the Public Acts of 1986, being sections 257.719a and 257.725 of the Michigan Compiled Laws, are amended and section 719b is added to read as follows:

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 100 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 that mobile home conforms to all of the following:
 - (a) Before June 30, 1992, the mobile home is not more than 16 feet wide.
 - (b) Beginning June 30, 1992, 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) As soon as possible after the effective date of this subsection, 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 June 30, 1992, 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, "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.

(14) As used in this section, "mobile home" means any of the following:

(a) A prebuilt housing module.

(b) 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.

(c) A section of a mobile home as that term is defined in subdivision (b).

Sec. 719b. Before June 30, 1992, 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 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.

Sec. 725. (1) Upon receipt of a written application and good cause being shown, a jurisdictional authority may issue a written special permit authorizing an applicant to operate upon or remove from a highway maintained by that jurisdictional authority a vehicle or combination of vehicles that are any of the following:

(a) Of a size, weight, or load exceeding the maximum specified in this chapter.

(b) Otherwise not in conformity with this chapter.

(2) The application for a special permit shall be on a form prescribed by the jurisdictional authority and shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular highways upon which the special permit to operate is requested.

(3) A jurisdictional authority may issue a special permit authorizing the operation of the following upon a highway:

(a) Traction engines or tractors having movable tracks with transverse corrugations upon the periphery of those movable tracks on farm tractors.

(b) Other farm machinery otherwise prohibited under this chapter.

(4) A special permit shall specify the trip or trips and date or dates for which it is valid and the jurisdictional authority granting the special permit may restrict or prescribe conditions of operation of a vehicle or vehicles, if necessary, to protect the safety of the public or to ensure against undue damage to the road foundations, surfaces, structures, or installations, and may require a reasonable inspection fee and other security as that jurisdictional authority determines necessary to compensate for damages caused by the movement. A special permit may be issued on an annual basis.

(5) A person may transport telephone, telegraph, or electric poles of a greater length than otherwise authorized over the highways in the construction, maintenance, or repair of telephone, telegraph, or electric lines pursuant to a special permit issued under this section.

(6) A person may transport concrete pipe of a greater width than otherwise authorized over highways pursuant to a special permit issued under this section.

(7) A special permit issued under this section shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by a police officer or authorized agent of an authority granting the special permit. A person shall not violate any of the terms or conditions of the special permit.

(8) A person who violates this section is responsible for a civil infraction.

(9) A jurisdictional authority issuing a special permit to move a mobile home under this section and a person who is issued a special permit to move a mobile home under this section are subject to section 719a.

(10) As used in this section, "jurisdictional authority" means the state transportation department, a county road commission, or a local authority having jurisdiction over a highway upon which a vehicle is proposed to be moved pursuant to a permit required under this section.

This act is ordered to take immediate effect.

.....
Secretary of the Senate.

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

Approved

.....
Governor.