

HOUSE BILL No. 5995

July 8, 1992, Introduced by Rep. Hertel and referred to the Committee on Transportation.

A bill to amend sections 717 and 719a of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code,"

section 717 as amended by Act No. 90 of the Public Acts of 1987 and section 719a as amended by Act No. 19 of the Public Acts of 1991, being sections 257.717 and 257.719a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 717 and 719a of Act No. 300 of the
2 Public Acts of 1949, section 717 as amended by Act No. 90 of the
3 Public Acts of 1987 and section 719a as amended by Act No. 19 of
4 the Public Acts of 1991, being sections 257.717 and 257.719a of
5 the Michigan Compiled Laws, are amended to read as follows:

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

4 (2) A person may operate or move an implement of husbandry
5 of any width on a highway as required for normal farming opera-
6 tions without obtaining a special permit for an excessively wide
7 vehicle or load under section 725. The operation or movement of
8 the implement of husbandry shall be in a manner so as to minimize
9 the interruption of traffic flow. A person shall not operate or
10 move an implement of husbandry to the left of the center of the
11 roadway from a half hour after sunset to a half hour before sun-
12 rise, under the conditions specified in section 639, or at any
13 time visibility is substantially diminished due to weather
14 conditions. A person operating or moving an implement of hus-
15 bandry shall follow all traffic regulations.

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

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

25 (5) The total outside width of a bus OR A MOTOR HOME shall
26 not exceed 102 inches.

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

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

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

24 Sec. 719a. (1) Notwithstanding any other provisions of this
25 act, a person shall not operate on the highways of this state a
26 towing vehicle to which a mobile home is attached, if that mobile
27 home is more than 45 feet in length or more than 60 feet in

1 length when combined with the towing vehicle, is more than 12-1/2
2 feet in height, and has an actual body width of more than ~~+00-~~
3 102 inches at base rail, unless that person possesses either of
4 the following:

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

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

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

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

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

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

25 (a) Before ~~June 30~~ DECEMBER 31, 1992, the mobile home is
26 not more than 16 feet wide.

1 (b) Beginning ~~June 30~~ DECEMBER 31, 1992, the mobile home
2 is not more than 14-1/3 feet wide, plus normal appurtenances that
3 extend no more than 6 inches, and an eave that extends no more
4 than 2 feet from the width of that mobile home, if moved in the
5 Lower Peninsula of this state, or the mobile home is not more
6 than 16 feet wide if moved in the Upper Peninsula of this state.

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

9 (4) A person operating a towing vehicle under subsection (3)
10 shall transport a mobile home only on the lane farthest to the
11 right of that person, and shall operate the towing vehicle in a
12 manner that places the eave portion of the mobile home over the
13 shoulder of the highway on which the mobile home is moved. A
14 person shall not move a mobile home that is 14 or more feet in
15 width including an eave of 2 feet when the wind velocity exceeds
16 25 miles per hour.

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

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

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

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

3 (c) Notice that the operator of a towing vehicle transport-
4 ing the mobile home shall operate the towing vehicle on a highway
5 as follows:

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

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

10 (iii) In accordance with seasonal load restrictions.

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

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

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

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

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

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

5 (8) This section does not grant or give authority to the
6 state transportation department that did not exist on May 1,
7 1982, in accordance with section 127 of title 23 of the United
8 States Code, 23 U.S.C. 127.

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

13 (10) ~~As soon as possible after the effective date of this~~
14 ~~subsection, the~~ THE state transportation department shall enter
15 into a contract for a study on the mobility, turning ability, and
16 transporting of mobile homes that are more than 14-1/3 feet wide
17 plus normal appurtenances that extend no more than 6 inches, and
18 eaves that are not more than 2 feet in width. A steering commit-
19 tee composed of 2 representatives of the mobile home industry, 2
20 representatives of the department of transportation, and 2 repre-
21 sentatives of the department of state police shall oversee the
22 study. The department of transportation shall fund 50% of the
23 cost of the study, and the mobile home commission fund or the
24 mobile home industry, or both, shall fund the remaining 50% of
25 the cost of the study. The study shall be completed and submit-
26 ted to the legislature within 9 months after the date the

1 contract for the study is executed. An interim report shall be
2 submitted to the legislature by January 1, 1992.

3 (11) Notwithstanding subsection (3)(b), after ~~June 30~~
4 DECEMBER 31, 1992, a jurisdictional authority identified in
5 section 725 may issue a permit to move a mobile home that was
6 previously moved under a valid permit on a highway of this state
7 pursuant to subsection (3)(a).

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

23 (13) As used in this section: ~~-, "jurisdictional"~~

24 (A) "JURISDICTIONAL authority" means the state transporta-
25 tion department, a county road commission, or a local authority
26 having jurisdiction over a highway upon which a mobile home is
27 proposed to be moved.

1 (B) ~~(14) As used in this section, "mobile~~ "MOBILE home"
2 means any of the following:

3 (i) ~~(a)~~ A prebuilt housing module.

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

7 (iii) ~~(c)~~ A section of a mobile home as that term is
8 defined in ~~subdivision (b)~~ SUBPARAGRAPH (ii).