



HOUSE BILL No. 5232

December 7, 1993, Introduced by Reps. Crissman, Middaugh, Hill, Gilmer, Porreca, Randall, Berman, Weeks, Voorhees, Bodem, Middleton, Bryant, Johnson, Schroer, Byrum, Jersevic, Kukuk, Gustafson, Walberg, Galloway, Hammerstrom, Dolan, Rivers, Kaza, Jaye, McNutt and Llewellyn and referred to the Committee on Transportation.

A bill to amend section 716 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 311 of the Public Acts of 1980, being section 257.716 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 716 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 311 of the Public Acts of 1980, being
3 section 257.716 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 716. (1) Unless specifically declared to be a civil
6 infraction, it is a misdemeanor for a person to drive or move or
7 for the owner to cause or permit to be driven or moved on a
8 highway a vehicle or vehicles of a size or weight exceeding the
9 limitations stated in this chapter or otherwise in violation of

1 this chapter, and the maximum size and weight specified in this
2 chapter shall be lawful throughout this state, and local authori-
3 ties shall not alter those size and weight limitations except as
4 express authority is granted in this chapter.

5 (2) The provisions of this chapter governing size, weight,
6 and load shall not apply to a fire apparatus, ~~or~~ to an imple-
7 ment of husbandry incidentally moved upon a highway, A COMBINA-
8 TION OF VEHICLES DESCRIBED IN SUBSECTION (4) IF THE TRIP IS 50
9 MILES OR LESS, or to a vehicle operated under the terms of a spe-
10 cial permit issued as provided in this chapter.

11 (3) The state transportation department, pursuant to THE
12 ADMINISTRATIVE PROCEDURES ACT OF 1969, Act No. 306 of the Public
13 Acts of 1969, as amended, BEING SECTIONS 24.201 TO 24.328 OF THE
14 MICHIGAN COMPILED LAWS, may promulgate rules permitting and regu-
15 lating the operation of a vehicle or vehicles of a size or weight
16 which exceeds the size or weight limitations in this chapter.
17 The rules may restrict or proscribe the conditions of operation
18 of a vehicle or vehicles of a size or weight which exceeds the
19 size or weight limitations in this chapter, if the restriction or
20 proscription is necessary to protect the public safety or to pre-
21 vent undue damage to a road foundation or surface, a structure,
22 or an installation. The rules may provide for a reasonable
23 inspection fee for an inspection of a vehicle or vehicles to
24 determine whether their sizes and weights are in conformance with
25 this act, and may require other security-necessary to compensate
26 for damage caused-by the vehicle or vehicles described in this
27 subsection.

1 (4) A COMBINATION OF VEHICLES, INCLUDING A ROAD SERVICE
2 VEHICLE AND A DISABLED VEHICLE OR COMBINATION OF DISABLED VEHI-
3 CLES, THAT EXCEEDS THE SIZE AND WEIGHT LIMITATIONS IN THIS CHAP-
4 TER MAY BE OPERATED UPON THE HIGHWAYS OF THIS STATE UNDER THE
5 FOLLOWING CONDITIONS:

6 (A) THE ROAD SERVICE VEHICLE IS SPECIFICALLY DESIGNED FOR
7 SUCH TOWING OPERATIONS, IS EQUIPPED WITH FLASHING, OSCILLATING,
8 OR ROTATING AMBER OR RED LIGHTS AS PERMITTED UNDER SECTION 698,
9 AND IS CAPABLE OF UTILIZING THE LIGHTING AND BRAKING SYSTEMS OF
10 THE DISABLED VEHICLE OR COMBINATION OF DISABLED VEHICLES IF SUCH
11 SYSTEMS ARE OPERATIONAL.

12 (B) THE DISABLED VEHICLE OR COMBINATION OF DISABLED VEHICLES
13 SHALL NOT EXCEED BY THEMSELVES THE SIZE AND WEIGHT LIMITATIONS OF
14 THIS CHAPTER UNLESS A PERMIT FOR OPERATION WAS GRANTED BY AN
15 APPROPRIATE JURISDICTIONAL AUTHORITY UNDER SECTION 725. HOWEVER,
16 THE OWNER OR OPERATOR OF A ROAD SERVICE VEHICLE ASSISTING A DIS-
17 ABLED VEHICLE OR COMBINATION OF DISABLED VEHICLES SHALL NOT BE
18 SUBJECT TO THE PENALTIES IMPOSED BY THIS CHAPTER FOR OVERWEIGHT
19 VEHICLES IF THE DISABLED VEHICLE OR COMBINATION OF DISABLED VEHI-
20 CLES EXCEED THE SIZE AND WEIGHT LIMITATIONS OF THIS CHAPTER AND A
21 PERMIT WAS NOT GRANTED BY THE APPROPRIATE JURISDICTIONAL AUTHOR-
22 ITY UNDER SECTION 725.

23 INSTEAD OF THE REQUIREMENTS OF SUBDIVISIONS (A) AND (B), A
24 WRITTEN SPECIAL PERMIT MAY BE ISSUED BY AN APPROPRIATE JURISDIC-
25 TIONAL-AUTHORITY UNDER SECTION 725 AUTHORIZING THE OPERATION OF A
26 COMBINATION OF VEHICLES AS DESCRIBED IN THIS SUBSECTION.