



# SENATE BILL No. 1092

April 13, 1994, Introduced by Senators O'BRIEN and CHERRY  
and referred to the Committee on Transportation and  
Tourism

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 HOWEVER, THE  
5 DRIVER OF A VEHICLE WHO IS NOT EITHER THE OWNER OF THE VEHICLE OR  
6 THE LESSEE OF THE VEHICLE OF AN OWNER-OPERATOR SHALL NOT BE CITED  
7 FOR OR BE HELD RESPONSIBLE FOR A CIVIL FINE ASSESSED UNDER SEC-  
8 TION 724 OR SHALL NOT BE PROSECUTED UNDER THIS SECTION WHEN THE  
9 WEIGHT OF THE VEHICLE EXCEEDS THE LIMITATIONS PROVIDED IN  
10 SECTION 722

11 (2) The provisions of this chapter governing size, weight,  
12 and load shall not apply to a fire apparatus, or to an implement  
13 of husbandry incidentally moved upon a highway, or to a vehicle  
14 operated under the terms of a special permit issued as provided  
15 in this chapter

16 (3) The state transportation department, pursuant to THE  
17 ADMINISTRATIVE PROCEDURES ACT OF 1969, Act No 306 of the Public  
18 Acts of 1969, as amended, BEING SECTIONS 24 201 TO 24 328 OF THE  
19 MICHIGAN COMPILED LAWS, may promulgate rules permitting and regu-  
20 lating the operation of a vehicle or vehicles of a size or weight  
21 which exceeds the size or weight limitations in this chapter  
22 The rules may restrict or proscribe the conditions of operation  
23 of a vehicle or vehicles of a size or weight which exceeds the  
24 size or weight limitations in this chapter, if the restriction or  
25 proscription is necessary to protect the public safety or to pre-  
26 vent undue damage to a road foundation or surface, a structure,  
27 or an installation The rules may provide for a reasonable

1 inspection fee for an inspection of a vehicle or vehicles to  
2 determine whether their sizes and weights are in conformance with  
3 this act, and may require other security necessary to compensate  
4 for damage caused by the vehicle or vehicles described in this  
5 subsection