

# HOUSE BILL No. 4391

February 27, 1997, Introduced by Reps. Law, Olshove, Leland, Gernaat, Green, Curtis, Middleton and Galloway and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 686, 688, 699, 707, and 710c (MCL 257.686, 257.688, 257.699, 257.707, and 257.710c), sections 686 and 688 as amended by 1990 PA 98 and section 710c as amended by 1991 PA 129, and by adding sections 33c and 603a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 33C. AS USED IN THIS ACT, "NEIGHBORHOOD ELECTRIC  
2 VEHICLE" MEANS A 4-WHEELED MOTOR VEHICLE POWERED BY ELECTRICITY  
3 AND DESIGNED TO CARRY NOT MORE THAN 4 PERSONS AT A SPEED OF NOT  
4 GREATER THAN 25 MILES PER HOUR AND HAVING AN UNLOADED WEIGHT OF  
5 NOT MORE THAN 1,800 POUNDS.

6        SEC. 603A. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A  
7 PERSON SHALL NOT OPERATE A NEIGHBORHOOD ELECTRIC VEHICLE ON A  
8 HIGHWAY OF THIS STATE.

1           (2) A POLITICAL SUBDIVISION OF THIS STATE MAY BY ORDINANCE  
2 AUTHORIZE AN EMPLOYEE OF THE POLITICAL SUBDIVISION TO OPERATE A  
3 NEIGHBORHOOD ELECTRIC VEHICLE ON A HIGHWAY WITHIN THE POLITICAL  
4 SUBDIVISION'S BOUNDARIES IF THE NEIGHBORHOOD ELECTRIC VEHICLE  
5 COMPLIES WITH ALL OF THE EQUIPMENT REQUIREMENTS OF THIS ACT. A  
6 NEIGHBORHOOD ELECTRIC VEHICLE MAY BE OPERATED ONLY ON A HIGHWAY  
7 WITH A SPEED LIMIT OF NOT MORE THAN 45 MILES PER HOUR.

8           (3) THE SECRETARY OF STATE SHALL ISSUE A CERTIFICATE OF  
9 TITLE AND REGISTRATION FOR A NEIGHBORHOOD ELECTRIC VEHICLE IF THE  
10 NEIGHBORHOOD ELECTRIC VEHICLE IS TO BE OPERATED ON A HIGHWAY  
11 WITHIN A POLITICAL SUBDIVISION.

12           Sec. 686. (1) A motor vehicle, trailer, semitrailer, pole  
13 trailer, or vehicle which is being drawn in a train of vehicles  
14 shall be equipped with at least 1 rear lamp mounted on the rear,  
15 which, when lighted as required by this act, shall emit a red  
16 light plainly visible from a distance of 500 feet to the rear.

17           (2) Either a tail lamp or a separate lamp shall be con-  
18 structed and placed so as to illuminate with a white light the  
19 rear registration plate and render it clearly legible from a dis-  
20 tance of 50 feet to the rear. A tail lamp or tail lamps,  
21 together with any separate lamp for illuminating the rear regis-  
22 tration plate, shall be wired so as to be lighted whenever the  
23 head lamps or auxiliary driving lamps are lighted. THIS SUBSEC-  
24 TION DOES NOT APPLY TO A NEIGHBORHOOD ELECTRIC VEHICLE.

25           (3) A motor vehicle licensed as an historic vehicle is  
26 exempt from the requirements of this section if the vehicle as  
27 originally equipped failed to meet these requirements.

1 (4) When operated or moved on a highway at the times  
2 specified in section 684, an implement of husbandry shall meet  
3 either of the following requirements:

4 (a) Display lighted rear lamps which meet the requirements  
5 of subsection (1).

6 (b) Be accompanied by a vehicle which follows behind the  
7 implement of husbandry at a distance of not more than 50 feet,  
8 illuminates the implement of husbandry with the vehicle's head-  
9 lights, and displays on the rear of the vehicle lighted rear  
10 lamps as required by this section.

11 (5) A pickup camper shall be attached to the motor vehicle  
12 in a manner so that the registration plate of the motor vehicle  
13 is clearly visible.

14 Sec. 688. In addition to other equipment required in this  
15 chapter, the following vehicles shall be equipped as provided in  
16 this section under the conditions stated in section 687:

17 (a) On every bus or truck, whatever its size, there shall be  
18 the following:

19 On the rear, 2 red reflectors, 1 on each side, and 1 red or  
20 amber stop light.

21 (b) On every bus or truck 80 inches or more in overall  
22 width, in addition to the requirements in paragraph (a):

23 On the front, 2 clearance lamps, 1 at each side.

24 On the rear, 2 clearance lamps, 1 at each side.

25 On each side, 2 side marker lamps, 1 at or near the front  
26 and 1 at or near the rear.

1           On each side, 2 reflectors, 1 at or near the front and 1 at  
2 or near the rear.

3           Three identification lamps, mounted on the vertical center-  
4 line of the vehicle or the vertical centerline of the cab where  
5 different from the centerline of the vehicle, except that, where  
6 the cab is not more than 42 inches wide at the front roofline, a  
7 single lamp at the center of the cab shall be considered to  
8 comply with the requirements for identification lamps. The iden-  
9 tification lamps or their mounts shall not extend below the top  
10 of the vehicle windshield.

11           (c) On every truck tractor:

12           On the front, 2 clearance lamps, 1 at each side.

13           On the rear, 1 stop light.

14           (d) On every trailer, pickup camper, or semitrailer having a  
15 gross weight in excess of 3,000 pounds:

16           On the front, 2 clearance lamps, 1 at each side.

17           On each side, 2 side marker lamps, 1 at or near the front  
18 and 1 at or near the rear.

19           On each side, 2 reflectors, 1 at or near the front and 1 at  
20 or near the rear.

21           On the rear, 2 clearance lamps, 1 at each side, also 2  
22 reflectors, 1 at each side, and 1 stop light.

23           (e) On every poletrailer:

24           On each side, 1 side marker lamp and 1 clearance lamp which  
25 may be in combination, to show to the front, side, or rear.

26           On the rear of the poletrailer or load, 2 reflectors, 1 on  
27 each side.

1 (f) On every trailer, pickup camper, or semitrailer weighing  
2 3,000 pounds gross or less:

3 On the rear, 2 reflectors, 1 on each side if any trailer or  
4 semitrailer is so loaded or is of such dimensions as to obscure  
5 the stop light on the towing vehicle, then such vehicle shall  
6 also be equipped with 1 stop light.

7 (g) ~~When~~ EXCEPT FOR A NEIGHBORHOOD ELECTRIC VEHICLE, WHEN  
8 operated on the highway, every vehicle which has a maximum poten-  
9 tial speed of 25 miles an hour, implement of husbandry, farm  
10 tractor, or special mobile equipment shall be identified with a  
11 reflective device as follows:

12 An equilateral triangle in shape, at least 16 inches wide at  
13 the base and at least 14 inches in height: with a dark red  
14 border, at least 1-3/4 inches wide of highly reflective beaded  
15 material;

16 A center triangle, at least 12-1/4 inches on each side of  
17 yellow-orange fluorescent material.

18 The device shall be mounted on the rear of the vehicle,  
19 broad base down, not less than 3 feet nor more than 5 feet above  
20 the ground and as near the center of the vehicle as possible.

21 The use of this reflective device is restricted to use on slow  
22 moving vehicles specified in this section, and use of such  
23 reflective device on any other type of vehicle or stationary  
24 object on the highway is prohibited.

25 On the rear, at each side, red reflectors or reflectorized  
26 material visible from all distances within 500 to 50 feet to the  
27 rear when directly in front of lawful upper beams of headlamps.

1           Sec. 699. Except as ~~hereinafter~~ OTHERWISE provided IN  
2 THIS SECTION, ~~the head lamps~~ HEADLAMPS, or ~~the~~ auxiliary  
3 driving lamps, or combinations ~~thereof~~ OF HEADLAMPS AND AUXIL-  
4 IARY DRIVING LAMPS, on motor vehicles shall be so arranged that  
5 selection may be made between distributions of light projected to  
6 different elevations, subject to the following requirements and  
7 limitations:

8           (a) ~~Head lamps~~ HEADLAMPS shall in all cases emit a white  
9 light. Auxiliary lamps may emit either a white or amber light.

10           (b) There shall be an uppermost distribution of light, or  
11 composite beam, so aimed and of an intensity as to reveal persons  
12 and vehicles at a distance of at least 350 feet ahead for all  
13 conditions of loading.

14           (c) There shall be a lowermost distribution of light, or  
15 composite beam, so aimed and of sufficient intensity to reveal  
16 persons and vehicles at a distance of at least 100 feet ahead;  
17 and under any condition of loading none of the high intensity  
18 portion of the beam shall be directed to strike the eyes of an  
19 approaching driver.

20           (d) Every new motor vehicle except motorcycles and mopeds  
21 registered in this state which has multiple beam road lighting  
22 equipment shall be equipped with a beam indicator, which shall be  
23 lighted when the uppermost distribution of light from the ~~head~~  
24 ~~lamps~~ HEADLAMPS is in use and shall not otherwise be lighted.  
25 The indicator shall be so designed and located that when lighted  
26 it will be readily visible without glare to the driver of the  
27 vehicle so equipped.

1 (E) HEADLAMPS ON NEIGHBORHOOD ELECTRIC VEHICLES MAY, BUT ARE  
2 NOT REQUIRED, TO COMPLY WITH SUBDIVISION (B).

3 Sec. 707. (1) A motor vehicle, including a motorcycle or  
4 moped, shall at all times be equipped with a muffler in good  
5 working order and in constant operation to prevent excessive or  
6 unusual noise and annoying smoke. A person shall not remove,  
7 destroy, or damage any of the baffles contained in the muffler,  
8 nor shall a person use a muffler cutout, bypass, or similar  
9 device upon a motorcycle or moped on a highway or street.

10 (2) The engine and power mechanism of a motor vehicle shall  
11 be so equipped and adjusted as to prevent the escape of excessive  
12 fumes or smoke.

13 (3) A motor vehicle shall at all times be equipped with a  
14 properly operating exhaust system which shall include a tailpipe  
15 and resonator on a vehicle where the original design included a  
16 tailpipe and resonator.

17 (4) THIS SECTION DOES NOT APPLY TO A NEIGHBORHOOD ELECTRIC  
18 VEHICLE.

19 Sec. 710c. (1) A person shall not operate a motor vehicle  
20 on a public highway or street of this state unless the vehicle is  
21 equipped with a bumper or other energy absorption system with an  
22 analogous function which bumper or system is securely bolted or  
23 permanently attached on both the front and rear of the vehicle.  
24 The bumper or energy absorption system shall be maintained in  
25 good operational condition, except as provided in  
26 subsection (5). Notwithstanding subsection (6), a person shall  
27 not drive a vehicle having a raised or lifted body height unless

1 the vehicle is equipped with bumpers that comply with this  
2 subsection and subsection (2).

3 (2) A person shall not operate a motor vehicle of a type  
4 defined in subsection (8) that exceeds either of the following  
5 limits:

6	<u>Vehicle Type</u>	<u>Frame Height</u>	<u>Bumper Height</u>
7	Passenger vehicle.....	12 inches	22 inches
8	Other motor vehicle:		
9	Less than 4,501 pounds		
10	GVWR.....	24 inches	26 inches
11	4,501 to 7,500 pounds GVWR	24 inches	28 inches
12	7,501 to 10,000 pounds		
13	GVWR.....	26 inches	30 inches
14	(3) If the GVWR cannot be determined on a motor vehicle		

15 other than a passenger vehicle, the limitations for a motor vehi-  
16 cle having less than 4,501 pounds GVWR shall apply.

17 (4) Notwithstanding subsection (2), a person shall not oper-  
18 ate a motor vehicle having lift blocks between the front axle and  
19 springs, or with lift blocks that exceed 4 inches in height  
20 between the rear axle and springs in addition to those provided  
21 by the original manufacturer. Any body lift block shall be of  
22 single piece construction and shall not use more than a 3-inch  
23 spacer. Any suspension lift block shall use an alignment pin  
24 between the axle and the spring, and shall be of single piece  
25 construction. Spring shackle replacements shall not exceed the  
26 original equipment manufacture length by more than 2 inches, and  
27 coil spring spacers are prohibited. All steering components  
28 shall be geometrically arranged to function as original equipment  
29 manufacture. Welded pitman arms, drag links, and tie rods are  
30 prohibited. All parts used to modify the original suspension or

1 height of a motor vehicle shall be factory manufactured and shall  
2 meet or exceed the original manufacturer's specifications.

3 (5) A person shall not modify a vehicle to be in violation  
4 of this section, alter or add to an original frame resulting in  
5 an increase in height of the vehicle, or cause the vehicle body  
6 or chassis to come in contact with the ground, expose the fuel  
7 tank to damage from collision, or cause the wheels to come in  
8 contact with the body. No part of the suspension on a vehicle  
9 shall extend below the lowest portion of a wheel rim on the  
10 vehicle. A part of the original suspension system shall not be  
11 disconnected or modified to defeat the safe operation of the sus-  
12 pension system. This section does not prohibit the installation  
13 of heavy duty equipment including bumpers, shock absorbers, and  
14 overload springs within the limitations of this section, or the  
15 removal of a bumper when necessary to install a snowplow, lift  
16 ramp, or similar device while the device is in place and  
17 operational.

18 (6) This section shall not be construed to establish stan-  
19 dards stricter than those formulated by the United States depart-  
20 ment of transportation for bumpers on a passenger motor vehicle  
21 sold within the United States.

22 (7) This section does not apply to a vehicle having a  
23 manufacturer's design which intrinsically precludes conformance  
24 with this section, a vehicle with a GVWR of 10,001 pounds or  
25 more, a vehicle designed to carry 16 or more passengers including  
26 the driver, implements of husbandry, or a road tractor, truck or  
27 truck tractor owned by a wood harvester or contractor and used

1 exclusively in connection with wood harvesting and logging  
2 operations, or a vehicle which has an unaltered bumper or suspen-  
3 sion system as supplied by the manufacturer. The operator of a  
4 vehicle cited for a violation of this section may assert as an  
5 affirmative defense that the vehicle in question, at the time of  
6 the violation, met original manufacturer's specifications for  
7 equipment which affected its bumper or frame height. The opera-  
8 tor shall establish by a preponderance of this evidence the  
9 affirmative defense asserted pursuant to this subsection.

10 (8) THIS SECTION DOES NOT APPLY TO A NEIGHBORHOOD ELECTRIC  
11 VEHICLE.

12 (9) ~~(8)~~ As used in this section:

13 (a) "Bumper height" means the vertical distance between the  
14 ground and the highest point of the bottom of the bumper, as mea-  
15 sured to a level surface when the vehicle is unladen with the  
16 vehicle tires inflated to the manufacturer's recommended  
17 pressure. If the bottom of the bumper cannot be determined due  
18 to vehicle design, the measurement shall be made from the lowest  
19 point on the rearmost portion of the rear horizontal bumper bar,  
20 or the vertical distance between the lowest point on the forward-  
21 most portion of the front horizontal bumper bar, as measured to a  
22 level surface when the vehicle is unladen with the vehicle tires  
23 inflated to the manufacturer's recommended pressure.

24 (b) "Frame" means the main longitudinal structural members  
25 of the chassis of the vehicle as equipped from the factory or,  
26 for a vehicle with unitized body construction, the lowest main  
27 longitudinal structural members of the body of the vehicle.

1 (c) "Frame height" means the vertical distance between the  
2 ground and the lowest point on the frame, measured when the vehi-  
3 cle is unladen on a level surface at the lowest point on the  
4 frame midway between the front axle and the second axle on the  
5 vehicle with the vehicle tires inflated to the manufacturer's  
6 recommended pressure.

7 (d) "GVWR" means the original manufacturer's gross vehicle  
8 weight rating as defined in section 18b.

9 (e) "Multipurpose passenger motor vehicle" means a motor  
10 vehicle, other than a truck or passenger vehicle, designed to  
11 carry 10 passengers or less and constructed either on a truck  
12 chassis or with special features for occasional off-road  
13 operation.

14 (f) "Other motor vehicle" means any truck, multipurpose pas-  
15 senger motor vehicle, or other motor vehicle having a GVWR of  
16 10,000 pounds or less, not including a passenger vehicle or  
17 motorcycle.

18 (g) "Passenger vehicle" means a motor vehicle with motive  
19 power designed to carry 10 passengers or less, or a van having a  
20 GVWR of 5,000 pounds or less, but not including a multipurpose  
21 passenger motor vehicle, motorcycle, or truck.