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Senate Bill 1094 (as reported without amendment)
Sponsor: Senator John J.H. Schwarz, M.D.
Committee: Transportation and Tourism

Date Completed: 2-25-02

RATIONALE

Vehicles such as waste collection trucks and dump trucks are usually equipped with a front loading device or boom to lift and load heavy objects. Reportedly, there have been some accidents involving container trucks that had mechanical problems with the boom. For instance, in a fatal accident involving a Granger Container truck and an oncoming passenger vehicle, apparently the boom was down in front of the truck because of a hydraulic problem, and the boom sliced through the passenger vehicle. It is believed that the accident might not have been fatal if the boom had been in the correct position. It has been suggested that the Michigan Vehicle Code be amended to address this type of situation.

CONTENT

The bill would amend the Michigan Vehicle Code's provisions on vehicle loading to prohibit driving or moving on a highway a vehicle equipped with a front loading device or boom that extended beyond the front bumper of the vehicle if the tang connected to the loading device or boom were in a horizontal position to the highway. A person doing so would be guilty of a misdemeanor punishable by a maximum fine of \$500, up to 90 days' imprisonment, or both (the penalty for violating current loading restrictions).

MCL 257.720

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

By prohibiting driving or moving on a highway a vehicle equipped with a front loading device or boom that was in the incorrect position, the bill would help to ensure that the equipment on these vehicles was working properly. More importantly, the bill would help protect the life and safety of motorists and pedestrians. It also could lead to more thorough inspections and higher safety standards.

Legislative Analyst: Nobuko Nagata

FISCAL IMPACT

There are no data to indicate how many people would be convicted of violating the bill. Local units would incur the cost of probation and incarceration, which varies by county from \$27 to \$65 per day.

Fiscal Analyst: Bethany Wicksall

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

