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**SFA****BILL ANALYSIS**

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Senate Bill 1094 (Substitute S-2 as passed by the Senate)  
Sponsor: Senator John J. H. Schwarz, M.D.  
Committee: Transportation and Tourism

Date Completed: 5-9-02

### **RATIONALE**

Vehicles such as waste collection trucks and dump trucks are usually equipped with a front end loading device to lift and load heavy objects. Reportedly, there have been some accidents involving container trucks that had mechanical problems with the front end loading device. For instance, in a fatal accident involving a Granger Container truck and an oncoming passenger vehicle, apparently the device was down in front of the truck because of a hydraulic problem, and the device sliced through the passenger vehicle. It is believed that the accident might not have been fatal if the device 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 end loading device with a tine protruding parallel to the highway beyond the front bumper of the vehicle, unless the tine was carrying a load designed to be carried by the front end loading device. The bill specifies that it would not apply to a vehicle designed to be used or being used to transport agricultural commodities. A person violating the bill 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 end loading device 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

### **A0102\s1094b**

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.