

Senate Fiscal Agency
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SFA



BILL ANALYSIS

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House Bills 5752 and 5755 (as reported without amendment)
Sponsor: Representative Bruce Patterson
House Committee: House Oversight and Operations
Senate Committee: Transportation and Tourism

Date Completed: 4-23-02

RATIONALE

The Senate Law Revision Task Force was established in June 1999 and asked to review existing State statutes and recommend the repeal or amendment of those laws that were found to be arcane and/or irrelevant to present-day life in Michigan. To identify such laws, the Task Force sought the input of the public, the law enforcement community, and various legal associations and entities, including the Michigan Law Revision Commission, the State Bar of Michigan, legislators, judges, and prosecutors. After review, the Task Force issued a report in December 1999, recommending that various laws or sections of laws be repealed or eliminated.

CONTENT

House Bill 5752 would repeal Sections 712 and 713 of the Michigan Vehicle Code, which require drivers of vehicles over 10,000 pounds or of vehicles containing hazardous materials to carry certain signaling and safety equipment (such as flares, torches, and fire extinguishers) and to place and display the equipment according to certain specifications.

House Bill 5755 would repeal Public Act 98 of 1927, which authorized the State Highway Commissioner to enter into an agreement with the Wisconsin State Highway Commission to construct a bridge between Menominee, Michigan, and Marinette, Wisconsin.

MCL 257.712 & 257.713 (H.B. 5752)
254.121-254.123 (H.B. 5755)

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

Both bills would implement recommendations of the Law Revision Task Force. According to its report, Michigan residents must be free from the threat of the State's arbitrarily enforcing laws that are arcane or irrelevant to modern life; residents must not be required to be aware of and abide by laws that no reasonable person can know exist; and government resources should not be used to perpetuate and/or impose arcane or irrelevant laws upon the citizens. House Bill 5752 would repeal two provisions that are pre-empted by Federal Motor Safety Carrier Act, thus eliminating a duplicative requirement; and House Bill 5755 would repeal the authority granted to the State Highway Commissioner in 1927, because the bridge between Michigan and Wisconsin was constructed in 1929. (Also, it was rehabilitated in 1970, and there are plans to replace the bridge in 2005.)

Legislative Analyst: Claire Layman

FISCAL IMPACT

Neither bill would have a fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker
Craig Thiel

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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.