

REVISE PUBLIC UTILITY WEIGHT EXEMPTIONS

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House Bill 5259

Sponsor: Rep. Tom Casperson

Committee: Transportation

Complete to 10-24-05

A SUMMARY OF HOUSE BILL 5259 AS INTRODUCED 10-5-05

The bill would amend Section 722 of the Michigan Vehicle Code (MCL 257.722) to rewrite the provision that grants public utility vehicles an exemption from the seasonal weight restrictions known as the "frost laws." That exemption was added by Public Act 41 of 2002.

Under House Bill 5259, the weight restrictions would apply to public utility vehicles only under the following circumstances:

**** For emergency utility work, the public utility vehicle travels to and from the site of the emergency at a speed not greater than 35 miles per hour.**

[The bill would define "emergency public utility work" to mean work performed to restore public utility service or to eliminate a danger to the public due to an unforeseen circumstance, a natural disaster, or an act of God, whether or not a public official has declared an emergency.]

**** For nonemergency utility work, the public utility notifies the appropriate county road commission of the time and location of the nonemergency utility work at least 48 hours before traveling to and from the site of the work. If the public utility provides the required notice, the county road commission would issue a permit for the work. The county road commission could charge a fee for issuing the permit not to exceed the administrative costs incurred. [The provisions for nonemergency work are similar to those found in current law for public utility vehicles generally.]**

The permit would have to contain all of the following information:

**** The designated route or routes of travel for the nonemergency work.**

**** The date and time period requested by the public utility during which the scheduled utility work is to be performed.**

**** The maximum speed limit of travel, if necessary.**

**** Any other specific conditions agreed to between the public utility and the county road commission.**

The bill also would specify that the public utility could commence or complete nonemergency utility work after the date and time specified in the permit if it was unable to complete the work during the specified time due to unforeseen circumstances.

FISCAL IMPACT:

The fiscal impact of the bill cannot be determined at this time.

Legislative Analyst: E. Best
Fiscal Analyst: William Hamilton

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.