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BILL ANALYSIS

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House Bill 5259 (Substitute H-3 as passed by the House)
Sponsor: Representative Tom Casperson
House Committee: Transportation
Senate Committee: Transportation

Date Completed: 12-4-06

CONTENT

The bill would amend the Michigan Vehicle Code to revise the process by which a public utility may obtain from a county road commission a permit to operate a public utility vehicle in excess of seasonal weight restrictions; and provide for a blanket permit for nonemergency public utility work.

The Code prescribes maximum axle loads and gross vehicle weights for various configurations of vehicles. During the months of March, April, and May, the maximum axle load allowable on concrete pavements or pavements with a concrete base must be reduced by 25% from the specified maximum load, and by 35% on all other types of roads. Additionally, the maximum wheel load may not exceed 525 pounds per inch of tire width on concrete and concrete base or 450 pounds per inch of tire width on all other roads while the seasonal road restrictions are in effect.

These provisions do not apply to public utility vehicles on a highway, road, or street under the jurisdiction of a local road agency, if the public utility notifies the county road commission for roads under its authority at least 48 hours in advance. The county road commission then must issue a permit and charge a fee that does not exceed the administrative costs incurred.

The bill provides, instead, that the exception to the loading maximums and gross vehicle weight would apply to public utility vehicles only under the following circumstances:

- For emergency public utility work, the public utility vehicle traveled to and from the site of the work at a maximum speed of 35 miles per hour.
- For nonemergency public utility work, the utility applied to the county road commission annually for roads under its authority before the vehicle traveled to and from the work site.

When the public utility provided the required notice for nonemergency public utility work, the road commission would have to issue it a blanket permit for nonemergency work. The local unit of government could charge a fee for the actual and reasonable cost of issuing the permit per year. The permit would have to contain all of the following:

- The annual period requested by the utility during which the permit was valid.
- A list of vehicles to be covered on the blanket permit requested by the utility.
- A requirement that travel on restricted roads would be minimized and used only when necessary to perform work by the vehicle.

- If the permitting agency required, the maximum speed limit of travel.
- If the permitting agency required, a statement that travel on restricted roads would require notification to the permitting agency, via fax or electronically, the day before the intended travel or the day following the actual travel.

Nonrestricted roads would have to be used where available or for routine travel.

Under the bill, "emergency public utility work" would 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 had declared an emergency.

MCL 257.722

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Debra Hollon

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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.