

SENATE BILL No. 61

January 24, 2007, Introduced by Senator GILBERT and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 726 (MCL 257.726), as amended by 1983 PA 107.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 726. (1) Local authorities and county road commissions
2 with respect to highways under their jurisdiction, except state
3 trunk line highways, by ordinance or resolution, may do any of the
4 following:

5 (a) Prohibit the operation of trucks or other commercial
6 vehicles on designated highways or streets.

7 (b) Impose limitations as to the weight of trucks or other
8 commercial vehicles on designated highways or streets.

1 (c) Provide that only certain highways or streets may be used
2 by trucks or other commercial vehicles.

3 (2) Any prohibitions, limitations, or truck route designations
4 established under subsection (1) shall be designated by appropriate
5 signs placed on the highways or streets. The design and placement
6 of the signs shall be consistent with the requirements of section
7 608.

8 (3) A person who violates a prohibition, limitation, or truck
9 route designation established pursuant to subsection (1) is
10 responsible for a civil infraction.

11 (4) LOCAL AUTHORITIES AND COUNTY ROAD COMMISSIONS MAY, BY
12 ORDINANCE OR RESOLUTION, PROHIBIT THE USE OF UNMUFFLED COMPRESSION
13 BRAKES OR JAKE BRAKES ON THOSE PORTIONS OF STATE TRUNK LINE
14 HIGHWAYS THAT FALL WITHIN THEIR LIMITS AND THAT LIE WITHIN 200
15 YARDS OF A RESIDENTIAL AREA. A LOCAL AUTHORITY OR COUNTY ROAD
16 COMMISSION THAT PROHIBITS THE USE OF UNMUFFLED COMPRESSION BRAKES
17 OR JAKE BRAKES UNDER THIS SUBSECTION SHALL INDICATE THAT
18 PROHIBITION BY APPROPRIATE SIGNS PLACED ON THE STATE TRUNK LINE
19 HIGHWAYS. THE SIGNS SHALL CONFORM TO THE REQUIREMENTS OF SECTION
20 608. THE COST OF ERECTING SIGNS UNDER THIS SUBSECTION SHALL BE
21 BORNE EQUALLY BY THE LOCAL AUTHORITY OR COUNTY ROAD COMMISSION
22 WHERE THE SIGNS ARE PLACED AND THE STATE TRANSPORTATION DEPARTMENT.
23 AS USED IN THIS SUBSECTION, "COMPRESSION BRAKE" OR "JAKE BRAKE"
24 MEANS ANY MOTOR VEHICLE BRAKE THAT IS OPERATED BY THE COMPRESSION
25 OF THE ENGINE OF THE MOTOR VEHICLE OR ANY UNIT OR PART OF THAT
26 ENGINE.

27 (5) A PERSON WHO VIOLATES AN ORDINANCE OR RESOLUTION

- 1 PROHIBITING THE USE OF UNMUFFLED COMPRESSION BRAKES UNDER
- 2 SUBSECTION (4) IS RESPONSIBLE FOR A CIVIL INFRACTION.