

Act No. 32
Public Acts of 2009
Approved by the Governor
June 4, 2009
Filed with the Secretary of State
June 4, 2009
EFFECTIVE DATE: December 1, 2009

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Rep. Sheltroun

ENROLLED HOUSE BILL No. 4781

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 216 and 719a (MCL 257.216 and 257.719a), section 216 as amended by 2008 PA 539 and section 719a as amended by 1996 PA 136, and by adding sections 38a, 49a, and 74a.

The People of the State of Michigan enact:

Sec. 38a. "Park model trailer" means a vehicle that meets all of the following:

- (a) Is built on a single chassis, mounted on wheels, and designed to be towed by a motor vehicle from time to time.
- (b) Depending on its size, may require a special highway movement permit under section 719a to be towed on a street or highway.
- (c) Is designed to provide recreational, seasonal, or temporary living quarters.
- (d) When used as recreational, seasonal, or temporary living quarters, may be connected to utilities necessary for the operation of installed fixtures and appliances.
- (e) Is not a mobile home as that term is defined in section 2 of the mobile home commission act, 1987 PA 96, MCL 125.2302.

Sec. 49a. "Recreational vehicle" means a new or used vehicle that has its own motive power or is towed by a motor vehicle; is primarily designed to provide temporary living quarters for recreational, camping, travel, or seasonal use; complies with all applicable federal vehicle regulations; and does not require a special highway movement permit under section 719a to be operated or towed on a street or highway. The term includes, but is not limited to, a motor home, travel trailer, park model trailer that does not require a special highway movement permit under section 719a, or pickup camper.

Sec. 74a. (1) "Travel trailer" means a trailer coach, fifth wheel trailer, camping trailer, or other vehicle that is designed to be towed by a motor vehicle; is designed to provide temporary living quarters for recreational, camping, or travel use; and does not require a special highway movement permit under section 719a to be towed on a street or highway.

(2) As used in this section:

(a) "Camping trailer" means a trailer coach constructed with collapsible side walls that fold for towing and unfold to provide temporary living quarters for recreational, camping, or travel use.

(b) "Fifth wheel trailer" means a trailer coach designed to be towed by a motor vehicle using a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.

Sec. 216. Every motor vehicle, recreational vehicle, trailer, semitrailer, and pole trailer, when driven or moved on a street or highway, is subject to the registration and certificate of title provisions of this act except the following:

(a) A vehicle driven or moved on a street or highway in conformance with the provisions of this act relating to manufacturers, transporters, dealers, or nonresidents.

(b) A vehicle that is driven or moved on a street or highway only for the purpose of crossing that street or highway from 1 property to another.

(c) An implement of husbandry.

(d) Special mobile equipment. The secretary of state may issue a special registration to an individual, partnership, corporation, or association not licensed as a dealer that pays the required fee, to identify special mobile equipment that is driven or moved on a street or highway.

(e) A vehicle that is propelled exclusively by electric power obtained from overhead trolley wires though not operated on rails.

(f) Any vehicle subject to registration, but owned by the government of the United States.

(g) A certificate of title is not required for a trailer, semitrailer, or pole trailer that weighs less than 2,500 pounds.

(h) A vehicle driven or moved on a street or highway, by the most direct route, only for the purpose of securing a scale weight receipt from a weighmaster for purposes of section 801 or obtaining a vehicle inspection by a law enforcement agency before titling or registration of that vehicle.

(i) A certificate of title is not required for a vehicle owned by a manufacturer or dealer and held for sale or lease, even though incidentally moved on a street or highway or used for purposes of testing or demonstration.

(j) A bus or a school bus that is not self-propelled and is used exclusively as a construction shanty.

(k) A certificate of title is not required for a moped.

(l) For 3 days immediately following the date of a properly assigned title or signed lease agreement from any person other than a dealer, a registration is not required for a vehicle driven or moved on a street or highway for the sole purpose of transporting the vehicle by the most direct route from the place of purchase or lease to a place of storage if the driver has in his or her possession the assigned title showing the date of sale or a lease agreement showing the date of the lease.

(m) A certificate of registration is not required for a pickup camper, but a certificate of title is required.

(n) A new motor vehicle driven or moved on a street or highway only for the purpose of moving the vehicle from an accident site to a storage location if the vehicle was being transported on a railroad car or semitrailer that was involved in a disabling accident.

(o) A boat lift used for transporting vessels between a marina or a body of water and a place of inland storage.

Sec. 719a. (1) Notwithstanding any other provisions of this act, a person shall not operate a towing vehicle to which a mobile home or park model trailer is attached on a street or highway if that mobile home or park model trailer is more than 45 feet in length or more than 60 feet in length when combined with the towing vehicle, is more than 12-1/2 feet in height, and has an actual body width of more than 102 inches at base rail, unless that person possesses either of the following:

(a) A permit issued by the jurisdictional authority under this section.

(b) A special permit issued by the jurisdictional authority under section 725.

(2) A jurisdictional authority may issue to a mobile home or park model trailer transport company, a mobile home or park model trailer manufacturer, or a mobile home or park model trailer dealer an annual permit to move on a street or highway, in the ordinary course of that company's, manufacturer's, or dealer's business, a mobile home or park model trailer that conforms to each of the following:

(a) The mobile home or park model trailer is not more than 12 feet wide.

(b) The actual body length of the mobile home or park model trailer is not more than 80 feet and the combined length of the mobile home or park model trailer and towing vehicle is not more than 105 feet or the total length of a combination of mobile homes or park model trailers is not more than 80 feet and the total length of a combination of mobile homes or park model trailers and towing vehicle is not more than 105 feet.

(3) A jurisdictional authority under section 725 may issue a special permit for the movement of a mobile home or park model trailer on a street or highway within its jurisdiction if the width of that mobile home or park model trailer conforms to both of the following:

(a) The mobile home or park model trailer is not more than 16 feet wide plus normal appurtenances or eaves that extend not more than 6 inches from any side of the mobile home or park model trailer.

(b) The length of the mobile home or park model trailer complies with subsection (2)(b).

(4) A person operating a towing vehicle under subsection (3) shall transport a mobile home or park model trailer only on the lane farthest to the right of that person. A person shall not move a mobile home or park model trailer that is 14 or more feet in width including an eave of 2 feet when the wind velocity exceeds 25 miles per hour.

(5) A jurisdictional authority shall not issue a permit described in subsection (2) or (3) for the transport of a mobile home or park model trailer on a Saturday, Sunday, legal holiday, from the noon before until the noon after a holiday, or during the hours between sunset and sunrise.

(6) A jurisdictional authority shall provide and a person operating a towing vehicle shall comply with all of the following in a permit issued under this section:

(a) The date, day, and time period during which a mobile home or park model trailer subject to the permit may be moved on a highway.

(b) Notice that the permit is conditioned upon its holder's compliance with the permit's terms and with the law.

(c) Notice that the operator of a towing vehicle transporting the mobile home or park model trailer shall operate the towing vehicle on a highway as follows:

(i) At a safe speed and in a safe manner that will not impede motor traffic.

(ii) Only when the surface condition of the highway is not slippery.

(iii) In compliance with seasonal load restrictions.

(d) For a mobile home or park model trailer and towing vehicle that, when combined, are more than 80 feet in length or more than 12 feet wide, all of the following:

(i) Notice that the mobile home or park model trailer shall be equipped with 2 flashing amber lights on the rear of the mobile home or park model trailer and 1 flashing amber light on the top of the towing vehicle.

(ii) Notice that the mobile home or park model trailer shall be equipped with stop lights and directional lights on the rear of the mobile home or park model trailer.

(iii) Notice that signs with the words "oversize load" shall be displayed on the front bumper of the towing vehicle and the back of the mobile home or park model trailer or, in the case of mobile homes or park model trailers that are 16 feet wide, notice that signs with the words "16-ft wide load" shall be displayed on the front bumper of the towing vehicle and the back of the mobile home or park model trailer.

(iv) Notice that the signs identified in subparagraph (iii) shall be of durable material, in good condition, with black lettering on interstate yellow background, and that each letter shall be of block lettering not less than 12 inches high at the front and not less than 16 inches high at the rear of the unit.

(v) Notice that a vehicle escort is required on those roads where the state police consider escort vehicles necessary for highway safety.

(7) Signs and other special identification for escort vehicles shall conform to state transportation department requirements for all escort vehicles for oversized loads.

(8) For a mobile home or park model trailer being moved pursuant to this section or section 725, the distance between mobile home or park model trailer axle centers shall not be less than 34 inches. The axles and tires shall meet standards established by the state transportation department.

(9) This section does not grant or give authority to the state transportation department that did not exist on May 1, 1982, in accordance with 23 USC 127.

(10) A person that violates this section is responsible for a civil infraction and may be assessed a civil fine of not more than \$500.00. The owner of the towing vehicle may be charged with a violation of this section.

(11) The state transportation commission may order the state transportation department to immediately cease issuing all special permits to move on the highways of the lower peninsula of this state a mobile home or park model trailer that is more than 14-1/3 feet wide plus normal appurtenances that extend no more than 6 inches, and an eave that extends no more than 2 feet from the width of that mobile home or park model trailer if the state transportation commission makes a determination that those permits create an unreasonable safety hazard or hazards. The state

transportation commission shall notify all other jurisdictional authorities of a determination made under this subsection. The order shall not prohibit the issuance of a special permit for the movement of a mobile home or park model trailer if a binding contract for the movement of that mobile home or park model trailer was executed before the commission determination of an unreasonable safety hazard or hazards.

(12) As used in this section:

(a) "Jurisdictional authority" means the state transportation department, a county road commission, or a local authority that has jurisdiction over a street or highway on which a mobile home is proposed to be moved.

(b) "Mobile home" means any of the following:

(i) A prebuilt housing module.

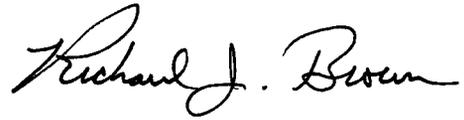
(ii) That term as defined in section 2 of the mobile home commission act, 1987 PA 96, MCL 125.2302.

(iii) A section of a mobile home as that term is defined in subparagraph (i).

Enacting section 1. This amendatory act takes effect December 1, 2009.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 363 of the 95th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: Senate Bill No. 363, referred to in enacting section 2, was filed with the Secretary of State June 4, 2009, and became 2009 PA 33, Eff. Dec. 1, 2009.