

## **MICHIGAN VEHICLE CODE – CONDITIONS FOR OPERATING A WRECKER AND DISABLED VEHICLE EXCEEDING SIZE/WEIGHT RESTRICTIONS**

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**Senate Bill 702 reported from House Committee**

**Sponsor: Sen. Tom Casperson**

**House Committee: Transportation and Infrastructure**

**Complete to 11-30-16**

*(Enacted as Public Act 453 of 2017)*

### **BRIEF SUMMARY:**

Senate Bill 702, as passed by the Senate April 12, 2016, would amend Section 716 of the Michigan Vehicle Code (PA 300 of 1949) to change provisions governing conditions under which a wrecker and disabled vehicle(s) in combination may operate in excess of normal size/weight restrictions under a permit issued by the Michigan Department of Transportation (MDOT) under Section 725 of the Michigan Vehicle Code.

Michigan law governing vehicle size, weight, and load is found in Sections 716 through Section 750 within Chapter VI of the Michigan Vehicle Code. Among other things, Section 716 provides certain specific exceptions to the chapter's size/weight/load restrictions. Subdivision 4 of Section 719 allows, under certain specific conditions, a wrecker and a disabled vehicle, or a wrecker and disabled vehicle and one trailer, to operate in excess of normal size/weight limitations.

Section 719(4)(b) establishes conditions under which a wrecker and combination of disabled vehicles in excess of normal size/weight limitations can operate on state highways under a "Section 725 special permit" issued by the MDOT. Current law limits such permitted trips to 25 miles from the place of disablement or, for trips that begin and end north of a line between Ludington and Pinconning, 50 miles or less. Senate Bill 702 would strike the current 25 mile limitation, the geographical reference, and related 50 mile limitation. The subsection, as amended, would simply allow a wrecker and combination of disabled vehicles to operate in excess of normal size/weight limitations under a Section 725 special permit issued by MDOT and that a special permit is valid for the entire towing distance.

A representative of the towing industry testified in House Committee (11/30/2016) that there are a limited number of repair facilities capable of repairing certain diesel engines used in modern commercial trucks and truck-tractors and that the current mileage limitations of Section 719(4)(b) are unnecessarily restrictive.

Note that MDOT would still have authority under Sections 719(3) and 725 to set specific conditions for special permits.

Section 725 establishes the fee for special over-size/overweight permits as \$50.00 for a single trip; \$100.00 for multiple trips or on an annual basis.

**FISCAL IMPACT:**

Section 716(1) indicates that unless specifically declared to be a civil infraction, violations of the Michigan's size/weight/load restrictions are misdemeanors. Most violations are in fact designated in the Michigan Vehicle Code as civil infractions. Civil fines for overweight violations are established in Section 724 of the Michigan Vehicle Code. Other fines and the disposition of fines are established in Section 907 of the Michigan Vehicle Code.

We do not currently have an estimate of the frequency of violations of current law, i.e. how frequently wreckers are cited for exceeding the current mileage limits. We believe the fiscal impact on the state and local units of government to be minimal.

Fiscal Analyst: William E. Hamilton

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