

FOREST PRODUCTS TRANSPORTATION PERMIT

Phone: (517) 373-8080
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Senate Bill 706-707 as passed by the Senate

Senate Bill 708 (Substitute H-1)

Sponsor: Sen. Tom Casperson

House Committee: Transportation and Infrastructure

Senate Committee: Transportation

Complete to 11-30-16

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Acts 454, 455, and 456 of 2016)

SUMMARY AS REPORTED FROM HOUSE COMMITTEE ON 11-30-16:

Section 725 of the Michigan Vehicle Code (MCL 257.725), allows jurisdictional authorities to issue special permits for noncompliant vehicles. **Senate Bill 706** would amend the code to do the following:

- Specify that Section 725 could not be construed to allow the imposition of fees upon, or the enactment of regulations regarding, a vehicle or a combination of vehicles engaged in silvicultural operations if the vehicle or combination did not exceed the Code's size, weight, or load maximums and conformed to the Code.
- Say that this provision would not excuse a vehicle or combination of vehicles engaged in silvicultural operations from the Code's seasonal weight restrictions.

Senate Bill 707

Public Act 200 of 1969 (MCL 247.327) requires permits for driveways providing direct access to a highway. Senate Bill 707 would amend the act to specify that "constructed or reconstructed" (for the purpose of requiring corrections to a driveway that is in violation of rules) would not include maintenance activities performed on a driveway.

Senate Bill 708

Senate Bill 708 would amend Public Act 283 of 1909 (224.19b), the county road law, to provide that a county road commission would not be authorized to require a permit for an activity that was otherwise permissible under state law. A county road commission would not be held liable for the failure of a person performing work for which a permit is not required on a county road right-of-way to post a sign that gives advance warning of the work being performed in the right-of-way.

Each bill would take effect 90 days after it were enacted.

FISCAL IMPACT:

These bills would have a negligible to no fiscal impact on state or local governments depending on the extent of the activity which these bills target. While restricting local governments from requiring fees for permits may limit some revenue for road maintenance, the narrow scope of the bills and the conditional nature of the activity it targets would likely have only an indeterminate but negligible negative fiscal impact to those governments in jurisdictions in which silvicultural operations are taking place.

POSITIONS:

- A representative of Bisballe Forest Products testified in support of the bills. (11-29-16)
- A representative of Great Lakes Timber Professionals Association testified in support of the bills. (11-29-16)
- A representative of Brewer Lumber testified in support of the bills. (11-29-16)
- A representative of Weyerhaeuser testified in support of the bills. (11-29-16)
- Michigan Association of Timberman supports the bills. (11-29-16)
- Michigan Forest Products Council supports the bills. (11-29-16)
- A representative of County Road Association of Michigan testified on the bills, and is neutral on Senate Bills 706 and 708; working with the sponsor on Senate Bill 707. (11-29-16)

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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.