

SENATE BILL No. 706

January 14, 2016, Introduced by Senator CASPERSON and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 725 (MCL 257.725), as amended by 1998 PA 247.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 725. (1) Upon receipt of a written application and good
2 cause being shown, a jurisdictional authority may issue a written
3 special permit authorizing an applicant to operate upon or remove
4 from a highway maintained by that jurisdictional authority a
5 vehicle or combination of vehicles that are any of the following:

6 (a) Of a size, weight, or load exceeding the maximum specified
7 in this chapter.

8 (b) Otherwise not in conformity with this chapter.

9 (2) The application for a special permit shall be on a form
10 prescribed by the jurisdictional authority and shall specifically

1 describe the vehicle or vehicles and load to be operated or moved
2 and the particular highways upon which the special permit to
3 operate is requested.

4 (3) A jurisdictional authority may issue a special permit and
5 charge a fee that does not exceed the administrative costs incurred
6 authorizing the operation of the following upon a highway:

7 (a) Traction engines or tractors having movable tracks with
8 transverse corrugations upon the periphery of those movable tracks
9 on farm tractors.

10 (b) Other farm machinery otherwise prohibited under this
11 chapter.

12 (c) A vehicle of a size or weight otherwise prohibited under
13 this chapter that is hauling farm machinery to or from a farm.

14 (4) A special permit shall specify the trip or trips and date
15 or dates for which it is valid and the jurisdictional authority
16 granting the special permit may restrict or prescribe conditions of
17 operation of a vehicle or vehicles, if necessary, to protect the
18 safety of the public or to ensure against undue damage to the road
19 foundations, surfaces, structures, or installations, and may
20 require a reasonable inspection fee and other security as that
21 jurisdictional authority determines necessary to compensate for
22 damages caused by the movement. A special permit may be issued on
23 an annual basis. Except as otherwise provided in this section, the
24 fee charged by the state transportation department for an
25 intrastate or an out-of-state vehicle for a single trip shall be
26 \$50.00 and for multiple trips or on an annual basis shall be
27 \$100.00. Except as otherwise provided in this section, the fee

1 charged by a jurisdictional authority other than the state
2 transportation department for an intrastate or an out-of-state
3 vehicle for a single trip shall be not more than \$50.00 and for
4 multiple trips or on an annual basis shall be not more than
5 \$100.00. Effective October 1, 1998, the fee charged by a
6 jurisdictional authority other than the state transportation
7 department for a special permit under this subsection shall be the
8 fee charged on September 30, 1997. The fee charged by a
9 jurisdictional authority other than the state transportation
10 department for a special permit under this subsection may be
11 increased above the amount charged on September 30, 1997 subject to
12 the maximums allowed by this subsection subject to a prior public
13 hearing with reasonable notice. However, the fee charged by a
14 jurisdictional authority other than the state transportation
15 department for a special permit under this subsection that is more
16 than \$50.00 for a single trip or that is more than \$100.00 for
17 multiple trips or on an annual basis, or both, on September 30,
18 1997 shall not be increased.

19 (5) The fee charged by the state transportation department for
20 an intrastate or an out-of-state vehicle or combination of vehicles
21 that exceed the maximum size specified in this chapter but do not
22 exceed the maximum weight or load specified in this chapter or are
23 otherwise not in conformity with this chapter shall be \$15.00 for a
24 single trip and \$30.00 for multiple trips or on an annual basis.
25 The fees charged under this subsection may be increased not more
26 than once each year based on the percentage increase in the United
27 States consumer price index for all urban consumers for the

1 immediately preceding 12-month period rounded to the nearest whole
2 dollar. This subsection takes effect October 1, 1998.

3 (6) The fee charged by a jurisdictional authority other than
4 the state transportation department for an intrastate or an out-of-
5 state vehicle or combination of vehicles of a size exceeding the
6 maximum specified in this chapter but not exceeding the maximum
7 weight or load specified in this chapter shall not exceed the
8 administrative costs incurred by that jurisdictional authority in
9 issuing the permit. This subsection takes effect October 1, 1998.

10 (7) A special permit issued under this section shall be
11 carried in the vehicle or combination of vehicles to which it
12 refers and shall be open to inspection by a police officer or
13 authorized agent of a jurisdictional authority granting the special
14 permit. A person shall not violate any of the terms or conditions
15 of the special permit.

16 (8) A person who violates this section is responsible for a
17 civil infraction.

18 (9) A jurisdictional authority issuing a special permit to
19 move a mobile home under this section and a person who is issued a
20 special permit to move a mobile home under this section are subject
21 to section 719a.

22 (10) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALLOW A
23 JURISDICTIONAL AUTHORITY TO IMPOSE FEES UPON OR ENACT ORDINANCES OR
24 REGULATIONS REGARDING A VEHICLE OR COMBINATION OF VEHICLES ENGAGED
25 IN SILVICULTURAL OPERATIONS IF THE VEHICLE OR COMBINATION OF
26 VEHICLES IS NOT IN EXCESS OF THE SIZE, WEIGHT, OR LOAD MAXIMUMS
27 SPECIFIED IN THIS CHAPTER AND IS OTHERWISE IN CONFORMITY WITH THIS

1 CHAPTER. THIS SUBSECTION DOES NOT EXCUSE A VEHICLE OR COMBINATION
2 OF VEHICLES ENGAGED IN SILVICULTURAL OPERATIONS FROM THE SEASONAL
3 WEIGHT REDUCTIONS DESCRIBED IN SECTION 722.

4 (11) ~~(10)~~—As used in this section, "jurisdictional authority"
5 means the state transportation department, a county road
6 commission, or a local authority having jurisdiction over a highway
7 upon which a vehicle is proposed to be moved pursuant to a permit
8 required under this section.

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.