

# Legislative Analysis



## **AMBER LIGHTS BETWEEN SNOW REMOVAL JOBS, SNOWPLOW BLADE WIDTHS, AND OTHER VEHICLE CODE AMENDMENTS**

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**House Bill 5766 as enacted**  
**Public Act 342 of 2018**  
**Sponsor: Rep. Triston Cole**  
**House Committee: Transportation and Infrastructure**  
**Senate Committee: Transportation**  
**Complete to 6-19-19**

### **SUMMARY:**

House Bill 5766 amends the Michigan Vehicle Code to allow a commercial snow removal vehicle to activate its flashing, rotating, or oscillating amber lights when traveling between snow or ice removal jobs. The bill allows for snowplow blades that are up to eleven feet wide without requiring a special permit for the extra width. The bill also makes other, unrelated amendments, as described below.

#### **Snow removal vehicles and snowplow blade widths**

Under the Vehicle Code, commercial snow removal vehicles are required to be operated with at least one flashing, rotating, or oscillating yellow or amber light that is clearly visible through an arc of 360 degrees from a distance of 500 feet when in use.

The bill allows a commercial snow removal vehicle to activate those flashing, rotating, or oscillating yellow or amber lights when the vehicle is traveling between locations where it will be used for snow or ice removal.

Section 717 of the code specifies that the total outside width of a vehicle or vehicle load must not exceed 96 inches (eight feet), except as otherwise provided under that section.

House Bill 5766 amends the section to allow a person to operate or move a truck with a snowplow blade that is up to 132 inches (eleven feet) wide without obtaining a special permit for an extra wide vehicle or load under section 725 of the code. This provision does not apply to a person operating construction equipment (for example, a front-end loader) for snow removal. The provision only applies between October 1 and May 1 of each year. A person operating a truck with such a blade must angle the plow blade or use some other method to minimize its overwidth condition when not engaged in snow removal.

#### **Other amendments: fleet vehicle registration**

The bill amends section 224 of the code to clarify that the registration requirements for private passenger vehicles, including rental vehicles, do not apply to fleet registrations under section 801h.

#### **Other amendments: IRP registration plates**

Section 226 of the code deals with expiration dates of various registration plates. The bill amends the section to allow, beginning on February 19, 2019, a registration issued to commercial vehicle, trailer, or semitrailer under the International Registration Plan (IRP) to expire on the last day of a calendar month. (Previously, IRP registration plates expired on

March 31, June 30, September 30, or December 31 as agreed to by the owner and the secretary of state.) Renewals expiring on or after June 30, 2020, must be for a minimum of at least 12 months if there is a change in the established registration date.

The IRP is a registration reciprocity agreement among states of the United States, the District of Columbia, and provinces of Canada providing for the apportionment of registration taxes assessed on certain motor vehicles engaged in interstate and/or cross-border commerce. Under the IRP, registration taxes are apportioned on the basis of total distance operated in all jurisdictions. The IRP allows for a single registration plate issued by the registrant's based jurisdiction (home state or province).

**Other amendments: fee to the Transportation Administration Collection Fund**

The bill amends section 808 of the code to earmark, beginning February 19, 2019, the required \$1 fee collected from an application under section 238 (for discharge of a lien on a motor vehicle) to the Transportation Administration Collection Fund (TACF).

**Other amendments: repealer**

The bill repeals enacting section 1 of 2018 PA 280, which requires a vehicle overtaking a bicycle on the right to pass at a distance of at least three feet or at a safe distance to the right of the bicycle at a safe distance. Enacting section 1 provided that 2018 PA 280 would take effect August 1, 2019. With its repeal by House Bill 5766, which took effect October 16, 2018, the provisions of 2018 PA 280 instead went into effect on October 16, 2018.

As stated above, House Bill 5766 took effect as 2018 PA 342 on October 16, 2018. However, an enacting section delayed the effectiveness of its amendments to the Vehicle Code until 90 days later. Those amendments took effect January 14, 2019.

MCL 257.224 et seq.

**FISCAL IMPACT:**

The bill's amendment of section 698 of the Michigan Vehicle Code, regarding lights used by snow removal vehicles, has no apparent fiscal impact. The bill's amendment of section 717 exempts, within limits, snowplow blades from the section's normal 96-inch width limitation as well as permitting requirements under section 725. The amendment could reduce permit fee revenue of some local road agencies, although the amount of revenue loss and the specific agencies affected cannot be predicted. We do not believe the amount of revenue loss would be significant.

The bill would result in an indeterminate marginal increase in revenue to the Department of State by directing the application fee for a lien on a motor vehicle to the TACF, which is the primary fund source for various administrative costs for the Department of State.

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