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BILL



ANALYSIS

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House Bill 4644 (Substitute H-4 as passed by the House)
Sponsor: Representative Triston Cole
House Committee: Transportation and Infrastructure
Senate Committee: Transportation

Date Completed: 11-30-17

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Increase from \$30 to \$264 the fee charged by the Michigan Department of Transportation (MDOT) for an intrastate or an out-of-State vehicle or combination of vehicles that exceeds the maximum size specified in the Code, but not weight or load limits, for multiple trips or on an annual basis.**
- **Require MDOT to allow an applicant to obtain an annual permit to exceed the Code's size or load maximums for a power unit without requiring a separate permit for each individual piece of equipment carried by that power unit, subject to certain restrictions.**

The bill would take effect one year after its enactment.

Permit Fees

Section 725 of the Code allows a jurisdictional authority, upon receiving an application and for good cause, to issue a special permit authorizing an applicant to operate upon or remove from a highway maintained by that authority a vehicle or combination of vehicles that exceeds the size, weight, or load maximum specified in the Code, or otherwise does not conform to the Code. A special permit must specify the trip or trips and the date or dates for which it is valid. The jurisdictional authority may restrict or prescribe the conditions of operation of a vehicle or vehicles, and may charge a fee as specified in Section 725.

("Jurisdictional authority" means the Michigan Department of Transportation, a county road commission, or a local authority having jurisdiction over a highway where a vehicle is proposed to be moved pursuant to a permit required under the Code.)

The fee charged by MDOT for an intrastate or an out-of-State vehicle or combination of vehicles that exceeds the maximum size specified in the Code but not the maximum specified weight or load or is otherwise not in conformity with Chapter VI of the Code is \$15 for a single trip and \$30 for multiple trips or on an annual basis. The bill would increase the fee for multiple trips or on an annual basis from \$30 to \$264.

(Chapter VI prescribes size, weight, and load limits for vehicles on roadways throughout the State. The chapter also provides for speed limits, drunk driving, moving violations, traffic signals, accidents, rights-of-way, passing, turning, equipment, vehicle inspections, special stops, and other matters governing obedience to traffic laws.)

Annual Power Unit Permits

The bill would require MDOT to allow an applicant to obtain an annual permit to exceed the size or load maximums specified under Chapter VI for a power unit without requiring a separate permit for each individual piece of equipment carried by that power unit.

All of the following would apply to an annual permit issued by MDOT under this provision:

- The holder of the permit could store and present it using a mobile device.
- The permit could not contain any restrictions on daily operating hours and could only include Memorial Day weekend, the Fourth of July, and Labor Day weekend as restricted holidays.
- The permit could not require travel of more than 10 miles per hour below the posted speed limit.

In addition, except as provided above, the permit could not restrict travel on weekends. The permit could contain restrictions on travel when the permit holder was traveling within a county that had a population greater than 150,000. The restricted holidays would not apply to a permit issued for a vehicle used to transport an implement of husbandry.

MCL 257.725

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill could have a minimal impact on State revenue from oversize permit fees, but a determination of the degree of a positive or negative impact is not possible with the information currently supplied by the Department.

The bill would increase the annual oversize permit fee without also adjusting the single trip oversize fee, the overweight fees, or joint fees (oversize and overweight). The bill also would clarify that one permit would be issued for an excess size or load permit, as opposed to separate permits for the pulling unit, trailer, and load. The Department reports issuing 2,358 annual oversize permits for fiscal year 2015-16; however, the data do not indicate which of those permits were for a separate piece of an oversize haul (such as the pulling unit or trailer) and which were for an entire oversize haul (pulling unit, trailer, and load included). The Department has indicated that the bill was designed to be revenue neutral. More data on permit issuance volume and protocol are necessary to accurately anticipate revenue neutrality. As currently constructed, any addition or reduction in revenue as a result of the bill would be minimal.

The bill would have no impact on local government. It would not alter or impede existing laws on permit requirements or fees set by local jurisdictions.

Fiscal Analyst: Michael Siracuse

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.