

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4644

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 725 (MCL 257.725), as amended by 2016 PA 454.

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 THE STATE TRANSPORTATION DEPARTMENT FOR AN INTRASTATE OR
2 AN OUT-OF-STATE VEHICLE FOR A PERMIT ISSUED UNDER SUBSECTION (11)
3 SHALL BE \$264.00. Except as otherwise provided in this section, the
4 fee charged by a jurisdictional authority other than the state
5 transportation department for an intrastate or an out-of-state
6 vehicle for a single trip shall be not more than \$50.00 and for
7 multiple trips or on an annual basis shall be not more than
8 \$100.00. Effective October 1, 1998, the fee charged by a
9 jurisdictional authority other than the state transportation
10 department for a special permit under this subsection shall be the
11 fee charged on September 30, 1997. The fee charged by a
12 jurisdictional authority other than the state transportation
13 department for a special permit under this subsection may be
14 increased above the amount charged on September 30, 1997 subject to
15 the maximums allowed by this subsection subject to a prior public
16 hearing with reasonable notice. However, the fee charged by a
17 jurisdictional authority other than the state transportation
18 department for a special permit under this subsection that is more
19 than \$50.00 for a single trip or that is more than \$100.00 for
20 multiple trips or on an annual basis, or both, on September 30,
21 1997 shall not be increased.

22 (5) The fee charged by the state transportation department for
23 an intrastate or an out-of-state vehicle or combination of vehicles
24 that exceed the maximum size specified in this chapter but do not
25 exceed the maximum weight or load specified in this chapter or are
26 otherwise not in conformity with this chapter shall be \$15.00 for a
27 single trip and \$30.00 for multiple trips or on an annual basis.

1 THE FEE CHARGED BY THE STATE TRANSPORTATION DEPARTMENT FOR AN
2 INTRASTATE OR OUT-OF-STATE VEHICLE OR COMBINATION OF VEHICLES THAT
3 EXCEED THE MAXIMUM SIZE SPECIFIED IN THIS CHAPTER BUT DO NOT EXCEED
4 THE MAXIMUM WEIGHT OR LOAD SPECIFIED IN THIS CHAPTER OR ARE
5 OTHERWISE NOT IN CONFORMITY WITH THIS CHAPTER FOR A PERMIT ISSUED
6 UNDER SUBSECTION (11) SHALL BE \$264.00. The fees charged under this
7 subsection may be increased not more than once each year based on
8 the percentage increase in the United States consumer price index
9 for all urban consumers for the immediately preceding 12-month
10 period rounded to the nearest whole dollar. This subsection takes
11 effect October 1, 1998.

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

19 (7) A special permit issued under this section shall be
20 carried in the vehicle or combination of vehicles to which it
21 refers and shall be open to inspection by a police officer or
22 authorized agent of a jurisdictional authority granting the special
23 permit. A person shall not violate any of the terms or conditions
24 of the special permit.

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

27 (9) A jurisdictional authority issuing a special permit to

1 move a mobile home under this section and a person who is issued a
2 special permit to move a mobile home under this section are subject
3 to section 719a.

4 (10) Nothing in this section shall be construed to allow a
5 jurisdictional authority to impose fees upon or enact regulations
6 regarding a vehicle or combination of vehicles engaged in
7 silvicultural operations if the vehicle or combination of vehicles
8 is not in excess of the size, weight, or load maximums specified in
9 this chapter and is otherwise in conformity with this chapter. This
10 subsection does not excuse a vehicle or combination of vehicles
11 engaged in silvicultural operations from the seasonal weight
12 reductions described in section 722.

13 (11) BEGINNING NO LATER THAN 2 YEARS AFTER THE EFFECTIVE DATE
14 OF THE 2017 AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE STATE
15 TRANSPORTATION DEPARTMENT SHALL ALLOW AN APPLICANT TO OBTAIN AN
16 ANNUAL PERMIT FOR THE MOVEMENT OF CONSTRUCTION EQUIPMENT UNDER THIS
17 SECTION TO EXCEED THE SIZE, LOAD, OR SIZE AND LOAD MAXIMUMS
18 SPECIFIED IN THIS CHAPTER FOR A POWER UNIT WITHOUT REQUIRING A
19 SEPARATE PERMIT FOR EACH INDIVIDUAL PIECE OF EQUIPMENT CARRIED BY
20 THAT POWER UNIT.

21 (12) BEGINNING NO LATER THAN 2 YEARS AFTER THE EFFECTIVE DATE
22 OF THE 2017 AMENDATORY ACT THAT ADDED THIS SUBSECTION, ALL OF THE
23 FOLLOWING APPLY TO AN ANNUAL PERMIT FOR THE MOVEMENT OF
24 CONSTRUCTION EQUIPMENT ISSUED BY THE STATE TRANSPORTATION
25 DEPARTMENT UNDER SUBSECTION (11):

26 (A) THE PERMIT MAY BE STORED AND PRESENTED BY THE HOLDER OF
27 THE PERMIT USING A MOBILE DEVICE.

1 (B) THE PERMIT SHALL NOT CONTAIN ANY RESTRICTIONS ON DAILY
2 OPERATING HOURS AND SHALL ONLY INCLUDE MEMORIAL DAY WEEKEND, THE
3 FOURTH OF JULY HOLIDAY, AND LABOR DAY WEEKEND AS RESTRICTED
4 HOLIDAYS. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, THE
5 PERMIT SHALL NOT RESTRICT TRAVEL ON WEEKENDS. THE PERMIT MAY
6 CONTAIN RESTRICTIONS ON TRAVEL WHEN THE PERMIT HOLDER IS TRAVELING
7 WITHIN A COUNTY THAT HAS A POPULATION GREATER THAN 150,000. THE
8 RESTRICTED HOLIDAYS DESCRIBED IN THIS SUBDIVISION DO NOT APPLY TO A
9 PERMIT ISSUED FOR A VEHICLE USED TO TRANSPORT AN IMPLEMENT OF
10 HUSBANDRY.

11 (C) THE PERMIT SHALL NOT REQUIRE TRAVEL OF MORE THAN 10 MILES
12 PER HOUR BELOW THE POSTED SPEED LIMIT.

13 (13) ~~(11)~~As used in this section, "jurisdictional authority"
14 means the state transportation department, a county road
15 commission, or a local authority having jurisdiction over a highway
16 upon which a vehicle is proposed to be moved pursuant to a permit
17 required under this section.

18 Enacting section 1. This amendatory act takes effect 1 year
19 after the date it is enacted into law.