

**SUBSTITUTE FOR
SENATE BILL NO. 396**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 717 and 722 (MCL 257.717 and 257.722), section
717 as amended by 2018 PA 342 and section 722 as amended by 2018 PA
274, and by adding section 719d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 717. (1) The total outside width of a vehicle or the load
2 on a vehicle shall not exceed 96 inches, except as otherwise
3 provided in this section.

4 (2) A person may operate or move an implement of husbandry of
5 any width on a highway as required, designed, and intended for
6 farming operations, including the movement of implements of
7 husbandry being driven or towed and not hauled on a trailer,
8 without obtaining a special permit for an excessively wide vehicle

1 or load under section 725. The operation or movement of the
2 implement of husbandry shall be in a manner so as to minimize the
3 interruption of traffic flow. A person shall not operate or move an
4 implement of husbandry to the left of the center of the roadway
5 from a half hour after sunset to a half hour before sunrise, under
6 the conditions specified in section 639, or at any time visibility
7 is substantially diminished due to weather conditions. A person
8 operating or moving an implement of husbandry shall follow all
9 traffic regulations.

10 (3) The total outside width of the load of a vehicle hauling
11 concrete pipe, ferrous pipe, agricultural products, or unprocessed
12 logs, pulpwood, or wood bolts shall not exceed 108 inches.

13 (4) Except as provided in subsections (2) and (5) and this
14 subsection, if a vehicle that is equipped with pneumatic tires is
15 operated on a highway, the maximum width from the outside of 1
16 wheel and tire to the outside of the opposite wheel and tire shall
17 not exceed 102 inches, and the outside width of the body of the
18 vehicle or the load on the vehicle shall not exceed 96 inches.
19 However, a truck and trailer or a tractor and semitrailer
20 combination hauling pulpwood or unprocessed logs may be operated
21 with a maximum width of not to exceed 108 inches in accordance with
22 a special permit issued under section 725.

23 (5) The total outside body width of a school bus, a bus, a
24 trailer coach, a trailer, a semitrailer, a truck camper, or a motor
25 home shall not exceed 102 inches. However, an appurtenance of a
26 school bus, **A LOG RACK MOUNTED ON A STRAIGHT TRUCK**, a trailer
27 coach, a truck camper, or a motor home that extends not more than 6

1 inches beyond the total outside body width does not violate this
2 section.

3 (6) A vehicle shall not extend beyond the center line of a
4 state trunk line highway except when authorized by law. Except as
5 provided in subsection (2), if the width of the vehicle makes it
6 impossible to stay away from the center line, a permit shall be
7 obtained under section 725.

8 (7) The director of the state transportation department, a
9 county road commission, or a local authority may designate a
10 highway under the agency's jurisdiction as a highway on which a
11 person may operate a vehicle or vehicle combination that is not
12 more than 102 inches in width, including load, the operation of
13 which would otherwise be prohibited by this section. The agency
14 making the designation may require that the owner or lessee of the
15 vehicle or of each vehicle in the vehicle combination secure a
16 permit before operating the vehicle or vehicle combination. This
17 subsection does not restrict the issuance of a special permit under
18 section 725 for the operation of a vehicle or vehicle combination.
19 This subsection does not permit the operation of a vehicle or
20 vehicle combination described in section 722a carrying a load
21 described in that section if the operation would otherwise result
22 in a violation of that section.

23 (8) The director of the state transportation department, a
24 county road commission, or a local authority may issue a special
25 permit under section 725 to a person operating a vehicle or vehicle
26 combination if all of the following are met:

27 (a) The vehicle or vehicle combination, including load, is not

1 more than 106 inches in width.

2 (b) The vehicle or vehicle combination is used solely to move
3 new motor vehicles or parts or components of new motor vehicles
4 between facilities that meet all of the following:

5 (i) New motor vehicles or parts or components of new motor
6 vehicles are manufactured or assembled in the facilities.

7 (ii) The facilities are located within 10 miles of each other.

8 (iii) The facilities are located within the city limits of the
9 same city and the city is located in a county that has a population
10 of more than 400,000 and less than 500,000 according to the most
11 recent federal decennial census.

12 (c) The special permit and any renewals are each issued for a
13 term of 1 year or less.

14 (9) A person may move or operate a boat lift of any width or
15 an oversized hydraulic boat trailer owned and operated by a marina
16 or watercraft dealer in a commercial boat storage operation on a
17 highway under a multiple trip permit issued on an annual basis as
18 specified under section 725. The operation or movement of the boat
19 lift or trailer shall minimize the interruption of traffic flow. It
20 shall be used exclusively to transport a boat between a place of
21 storage and a marina or in and around a marina. A boat lift or
22 oversized hydraulic boat trailer may be operated, drawn, or towed
23 on a street or highway only when transporting a vessel between a
24 body of water and a place of storage or when traveling empty to or
25 from transporting a vessel. A boat lift shall not be operated on
26 limited access highways. A person moving or operating a boat lift
27 or oversized hydraulic boat trailer shall follow all traffic

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1 regulations and shall ensure the route selected has adequate power
2 and utility wire height clearance.

3 (10) A person may operate or move a truck to which a snowplow
4 blade that is wider than 96 inches but no more than 132 inches wide
5 is mounted without obtaining a special permit for an excessively
6 wide vehicle or load under section 725. This subsection only
7 applies between October 1 and May 1 of each year. A person
8 operating a truck described in this subsection shall minimize the
9 overwidth condition of the snowplow blade when not engaged in snow
10 removal by angling the plow blade or any other method. This
11 subsection does not apply to a person operating construction
12 equipment for snow removal.

13 (11) A person who violates this section is responsible for a
14 civil infraction. The owner of the vehicle may be charged with a
15 violation of this section.

16 SEC. 719D. (1) SUBJECT TO SUBSECTIONS (2), (3), AND (4), A
17 PERSON MAY OPERATE A PNEUMATIC TIRED FORESTRY VEHICLE OR SPECIAL
18 MOBILE EQUIPMENT WITH PNEUMATIC TIRES THAT IS USED IN SILVICULTURAL
19 OPERATIONS FOR A DISTANCE OF NO MORE THAN 20 MILES ON A PUBLIC
20 HIGHWAY THAT IS UNDER THE JURISDICTION OF A COUNTY ROAD COMMISSION
21 IF THAT VEHICLE IS EQUIPPED WITH A SLOW-MOVING VEHICLE EMBLEM AS
22 DESCRIBED IN SECTION 688 AND A FLASHING, ROTATING, OR OSCILLATING
23 AMBER LIGHT, AND IF THE VEHICLE OR SPECIAL MOBILE EQUIPMENT IS
24 UNLADEN. AS USED IN THIS SUBSECTION, "UNLADEN" MEANS THAT THE
25 VEHICLE OR SPECIAL MOBILE EQUIPMENT IS NOT CARRYING ANY <<LOGS OR>>
MATERIALS
26 OTHER THAN ATTACHMENTS USED IN THE DAILY OPERATION OF THE VEHICLE
27 OR SPECIAL MOBILE EQUIPMENT, INCLUDING, BUT NOT LIMITED TO, TIRE

1 CHAINS, TRACKS, OR ROAD DRAGS.

2 (2) THE SEASONAL WEIGHT REDUCTIONS UNDER SECTION 722(9) APPLY
3 TO A PAVED HIGHWAY.

4 (3) A PERSON OPERATING A VEHICLE OR SPECIAL MOBILE EQUIPMENT
5 DESCRIBED IN SUBSECTION (1) FOR A DISTANCE OF GREATER THAN 20 MILES
6 ON A PUBLIC HIGHWAY THAT IS UNDER THE JURISDICTION OF A COUNTY ROAD
7 COMMISSION SHALL GIVE NOTICE TO THE COUNTY ROAD COMMISSION WITH
8 JURISDICTION OVER THAT HIGHWAY. THE NOTICE REQUIRED BY THIS
9 SUBSECTION SHALL INCLUDE THE DESIGNATED ROUTE OF TRAVEL.

10 (4) THE OWNER OF A VEHICLE OR SPECIAL MOBILE EQUIPMENT
11 DESCRIBED IN SUBSECTION (1) THAT DOES NOT COMPLY WITH SUBSECTION
12 (3) IS RESPONSIBLE FOR A CIVIL INFRACTION AND IS SUBJECT TO THE
13 FOLLOWING:

14 (A) FOR A FIRST VIOLATION, THE OWNER SHALL PAY A CIVIL FINE OF
15 \$250.00.

16 (B) FOR A SECOND VIOLATION, THE OWNER SHALL PAY A CIVIL FINE
17 OF \$500.00.

18 (C) FOR A THIRD OR SUBSEQUENT VIOLATION, THE OWNER SHALL PAY A
19 CIVIL FINE OF \$750.00, AND SHALL NOT OPERATE A VEHICLE OR SPECIAL
20 MOBILE EQUIPMENT AS PROVIDED IN SUBSECTION (1).

21 (5) THE COUNTY ROAD COMMISSION WITH JURISDICTION OVER A PUBLIC
22 HIGHWAY ON WHICH A VEHICLE OR SPECIAL MOBILE EQUIPMENT DESCRIBED IN
23 SUBSECTION (1) IS OPERATED MAY RECOVER DAMAGES FROM THE OWNER OF
24 THE VEHICLE OR SPECIAL MOBILE EQUIPMENT FOR INJURIES TO A PUBLIC
25 HIGHWAY OR ADJACENT STRUCTURE CAUSED BY THE OPERATION OF THAT
26 VEHICLE OR SPECIAL MOBILE EQUIPMENT.

27 (6) A COUNTY ROAD COMMISSION SHALL BE HELD HARMLESS FOR A

1 COLLISION BETWEEN A VEHICLE OR SPECIAL MOBILE EQUIPMENT DESCRIBED
2 IN SUBSECTION (1) AND ANOTHER REGISTERED VEHICLE WHILE OPERATING ON
3 A PUBLIC HIGHWAY OF THIS STATE OR WITHIN THE RIGHT-OF-WAY OF A
4 PUBLIC HIGHWAY IN THIS STATE.

5 Sec. 722. (1) Except as otherwise provided in this section,
6 the maximum axle load shall not exceed the number of pounds
7 designated in the following provisions that prescribe the distance
8 between axles:

9 (a) If the axle spacing is 9 feet or more between axles, the
10 maximum axle load shall not exceed 18,000 pounds for vehicles
11 equipped with high pressure pneumatic or balloon tires.

12 (b) If the axle spacing is less than 9 feet between 2 axles
13 but more than 3-1/2 feet, the maximum axle load shall not exceed
14 13,000 pounds for high pressure pneumatic or balloon tires.

15 (c) If the axles are spaced less than 3-1/2 feet apart, the
16 maximum axle load shall not exceed 9,000 pounds per axle.

17 (d) Subdivisions (a), (b), and (c) shall be known as the
18 normal loading maximum.

19 (2) When normal loading is in effect, the state transportation
20 department, or a local authority with respect to highways under its
21 jurisdiction, may designate certain highways, or sections of those
22 highways, where bridges and road surfaces are adequate for heavier
23 loading, and revise a designation as needed, on which the maximum
24 tandem axle assembly loading shall not exceed 16,000 pounds for any
25 axle of the assembly, if there is no other axle within 9 feet of
26 any axle of the assembly.

27 (3) A combination of vehicles may operate on designated

1 highways with not more than 1 tandem axle assembly having a gross
2 weight of 16,000 pounds per axle, if there is no other axle within
3 9 feet of the assembly. On a combination of truck tractor and
4 semitrailer having not more than 5 axles, 2 consecutive tandem axle
5 assemblies may operate on designated highways at a gross
6 permissible weight of 16,000 pounds per axle, if there is no other
7 axle within 9 feet of any axle of either assembly.

8 **(4) SUBSECTIONS (2) AND (3) APPLY TO A VEHICLE TRANSPORTING**
9 **FOREST PRODUCTS OR SPECIAL MOBILE EQUIPMENT USED IN SILVICULTURAL**
10 **OPERATIONS ON A PAVED OR UNPAVED PUBLIC HIGHWAY IN THIS STATE.**

11 (5) ~~(4)~~—Notwithstanding subsection (3), on a combination of
12 truck tractor and semitrailer having not more than 5 axles, 2
13 consecutive sets of tandem axles may carry a gross permissible
14 weight of not to exceed 17,000 pounds on any axle of the tandem
15 axles if there is no other axle within 9 feet of any axle of the
16 tandem axles and if the first and last axles of the consecutive
17 sets of tandem axles are not less than 36 feet apart and the gross
18 vehicle weight does not exceed 80,000 pounds to pick up and deliver
19 agricultural commodities between the national truck network or
20 special designated highways and any other highway. This subsection
21 is not subject to the maximum axle loads of subsections (1), (2),
22 and (3). For purposes of this subsection, a "tandem axle" means 2
23 axles spaced more than 40 inches but not more than 96 inches apart
24 or 2 axles spaced more than 3-1/2 feet but less than 9 feet apart.
25 This subsection does not apply during that period when reduced
26 maximum loads are in effect under subsection ~~(8)~~-(9).

27 (6) ~~(5)~~—The seasonal reductions described under subsection ~~(8)~~

(9) to the loading maximums and gross vehicle weight requirement of subsection ~~(12)~~ (13) do not apply to a person hauling agricultural commodities if the person who picks up or delivers the agricultural commodity either from a farm or to a farm notifies the county road commission for roads under its authority not less than 48 hours before the pickup or delivery of the time and location of the pickup or delivery. The county road commission shall issue a permit to the person and charge a fee that does not exceed the administrative costs incurred. The permit shall contain all of the following:

(a) The designated route or routes of travel for the load.

(b) The date and time period requested by the person who picks up or delivers the agricultural commodities during which the load may be delivered or picked up.

(c) A maximum speed limit of travel, if necessary.

(d) Any other specific conditions agreed to between the parties.

(7) ~~(6)~~ The seasonal reductions described under subsection ~~(8)~~ (9) to the loading maximums and gross vehicle weight requirements of subsection ~~(12)~~ (13) do not apply to public utility vehicles under the following circumstances:

(a) For emergency public utility work on restricted roads, as follows:

(i) If required by the county road commission, the public utility or its subcontractor shall notify the county road commission, as soon as practical, of the location of the emergency public utility work and provide a statement that the vehicles that

1 were used to perform the emergency utility work may have exceeded
2 the loading maximums and gross vehicle weight requirements of
3 subsection ~~(12)~~—(13) as reduced under subsection ~~(8)~~—(9). The
4 notification may be made via facsimile or electronically.

5 (ii) The public utility vehicle travels to and from the site
6 of the emergency public utility work while on a restricted road at
7 a speed not greater than 35 miles per hour.

8 (b) For nonemergency public utility work on restricted roads,
9 as follows:

10 (i) If the county road commission requires, the public utility
11 or its subcontractor shall apply to the county road commission
12 annually for a seasonal truck permit for roads under its authority
13 before seasonal weight restrictions are effective. The county road
14 commission shall issue a seasonal truck permit for each public
15 utility vehicle or vehicle configuration the public utility or
16 subcontractor anticipates will be utilized for nonemergency public
17 utility work. The county road commission may charge a fee for a
18 seasonal truck permit that does not exceed the administrative costs
19 incurred for the permit. The seasonal truck permit shall contain
20 all of the following:

21 (A) The seasonal period requested by the public utility or
22 subcontractor during which the permit is valid.

23 (B) A unique identification number for the vehicle and any
24 vehicle configuration to be covered on the seasonal truck permit
25 requested by the public utility or subcontractor.

26 (C) A requirement that travel on restricted roads during
27 weight restrictions will be minimized and only utilized when

1 necessary to perform public utility work using the public utility
2 vehicle or vehicle configuration and that nonrestricted roads shall
3 be used for travel when available and for routine travel.

4 (D) A requirement that in the case of a subcontractor the
5 permit is only valid while the subcontractor vehicle is being
6 operated in the performance of public utility work.

7 (E) A requirement that a subcontractor vehicle or vehicle
8 configuration shall display signage on the outside of the vehicle
9 to identify the vehicle as operating on behalf of the public
10 utility.

11 (ii) If the county road commission requires notification, the
12 county road commission shall provide a notification application for
13 the public utility or its subcontractor to use when requesting
14 access to operate on restricted roads and the public utility or its
15 subcontractor shall provide notification to the county road
16 commission, via facsimile or electronically, not later than 24
17 hours before the time of the intended travel. A subcontractor using
18 a vehicle on a restricted road shall have a copy of any
19 notification provided to a county road commission in the
20 subcontractor's possession while performing the relevant
21 nonemergency work. Notwithstanding this subsection or an agreement
22 under this subsection, if the county road commission determines
23 that the condition of a particular road under its jurisdiction
24 makes it unusable, the county road commission may deny access to
25 all or any part of that road. The denial shall be made and
26 communicated via facsimile or electronically to the public utility
27 or its subcontractor within 24 hours after receiving notification

1 that the public utility or subcontractors intends to perform
2 nonemergency work that requires use of that road. Any notification
3 that is not disapproved within 24 hours after the notice is
4 received by the county road commission is considered approved. The
5 notification application required under this subparagraph may
6 include all of the following information:

7 (A) The address or location of the nonemergency work.

8 (B) The date or dates of the nonemergency work.

9 (C) The route to be taken to the nonemergency work site.

10 (D) The restricted road or roads intended to be traveled upon
11 to the nonemergency work site or sites.

12 (E) In the case of a subcontractor, the utility on whose
13 behalf the subcontractor is performing services.

14 (8) ~~(7)~~—The normal size of tires shall be the rated size as
15 published by the manufacturers, and the maximum wheel load
16 permissible for any wheel shall not exceed 700 pounds per inch of
17 width of tire.

18 (9) ~~(8)~~—Except as provided in this subsection and ~~subsection~~
19 ~~(9)~~, **SUBSECTIONS (10) AND (16)**, during the months of March, April,
20 and May in each year, the maximum axle load allowable on concrete
21 pavements or pavements with a concrete base is reduced by 25% from
22 the maximum axle load as specified in this chapter, and the maximum
23 axle loads allowable on all other types of roads during these
24 months are reduced by 35% from the maximum axle loads as specified.
25 The maximum wheel load shall not exceed 525 pounds per inch of tire
26 width on concrete and concrete base or 450 pounds per inch of tire
27 width on all other roads during the period the seasonal road

1 restrictions are in effect. Subject to subsection ~~(5)~~, ~~(6)~~, this
2 subsection does not apply to vehicles transporting agricultural
3 commodities or, subject to subsection ~~(6)~~, ~~(7)~~, public utility
4 vehicles on a highway, road, or street under the jurisdiction of a
5 local road agency, or a school bus. In addition, this subsection
6 does not apply to a vehicle delivering propane fuel to a residence
7 if the vehicle's propane tank is filled to not more than 50% of its
8 capacity and the vehicle is traveling at not more than 35 miles per
9 hour. The state transportation department and each local authority
10 with highways and streets under its jurisdiction to which the
11 seasonal restrictions prescribed under this subsection apply shall
12 post all of the following information on the homepage of its
13 website or, if a local authority does not have a website, then on
14 the website of a statewide road association of which it is a
15 member:

16 (a) The dates when the seasonal restrictions are in effect.

17 (b) The names of the highways and streets and portions of
18 highways and streets to which the seasonal restrictions apply.

19 **(10)** ~~(9)~~—The state transportation department for roads under
20 its jurisdiction and a county road commission for roads under its
21 jurisdiction may grant exemptions from seasonal weight restrictions
22 for milk on specified routes when requested in writing. Approval or
23 denial of a request for an exemption shall be given by written
24 notice to the applicant within 30 days after the date of submission
25 of the application. If a request is denied, the written notice
26 shall state the reason for denial and alternate routes for which
27 the permit may be issued. The applicant may appeal to the state

1 transportation commission or the county road commission. These
2 exemptions do not apply on county roads in counties that have
3 negotiated agreements with milk haulers or haulers of other
4 commodities during periods of seasonal load limits before April 14,
5 1993. This subsection does not limit the ability of these counties
6 to continue to negotiate such agreements.

7 (11) ~~(10)~~—The state transportation department, or a local
8 authority with respect to highways under its jurisdiction, may
9 suspend the restrictions imposed by this section when and where
10 conditions of the highways or the public health, safety, and
11 welfare warrant suspension, and impose the restricted loading
12 requirements of this section on designated highways at any other
13 time that the conditions of the highway require.

14 (12) ~~(11)~~—For the purpose of enforcing this act, the gross
15 vehicle weight of a single vehicle and load or a combination of
16 vehicles and loads shall be determined by weighing individual axles
17 or groups of axles, and the total weight on all the axles shall be
18 the gross vehicle weight. In addition, the gross axle weight shall
19 be determined by weighing individual axles or by weighing a group
20 of axles and dividing the gross weight of the group of axles by the
21 number of axles in the group. For purposes of subsection ~~(12)~~,
22 (13), the overall gross weight on a group of 2 or more axles shall
23 be determined by weighing individual axles or several axles, and
24 the total weight of all the axles in the group shall be the overall
25 gross weight of the group.

26 (13) ~~(12)~~—The loading maximum in this subsection applies to
27 interstate highways, and the state transportation department, or a

1 local authority with respect to highways under its jurisdiction,
2 may designate a highway, or a section of a highway, for the
3 operation of vehicles having a gross vehicle weight of not more
4 than 80,000 pounds that are subject to the following load maximums:

5 (a) Twenty thousand pounds on any 1 axle, including all
6 enforcement tolerances.

7 (b) A tandem axle weight of 34,000 pounds, including all
8 enforcement tolerances.

9 (c) An overall gross weight on a group of 2 or more
10 consecutive axles equaling:

11
$$W=500[(LN)/(N-1)+12N+36]$$

12 where W = overall gross weight on a group of 2 or more
13 consecutive axles to the nearest 500 pounds, L = distance in feet
14 between the extreme of a group of 2 or more consecutive axles, and
15 N = number of axles in the group under consideration; except that 2
16 consecutive sets of tandem axles may carry a gross load of 34,000
17 pounds each if the first and last axles of the consecutive sets of
18 tandem axles are not less than 36 feet apart. The gross vehicle
19 weight shall not exceed 80,000 pounds including all enforcement
20 tolerances. Except for 5 axle truck tractor, semitrailer
21 combinations having 2 consecutive sets of tandem axles, vehicles
22 having a gross weight in excess of 80,000 pounds or in excess of
23 the vehicle gross weight determined by application of the formula
24 in this subsection are subject to the maximum axle loads of
25 subsections (1), (2), and (3). As used in this subsection, "tandem
26 axle weight" means the total weight transmitted to the road by 2 or

1 more consecutive axles, the centers of which may be included
2 between parallel transverse vertical planes spaced more than 40
3 inches but not more than 96 inches apart, extending across the full
4 width of the vehicle. Except as otherwise provided in this section,
5 vehicles transporting agricultural commodities shall have weight
6 load maximums as set forth in this subsection.

7 **(14)** ~~(13)~~ The axle loading maximums under subsections (1),
8 (2), (3), and ~~(4)~~ **(5)** are increased by 10% for vehicles
9 transporting agricultural commodities or raw timber, excluding farm
10 equipment and fuel, from the place of harvest or farm storage to
11 the first point of delivery on a road in this state. However, the
12 axle loading maximums as increased under this subsection do not
13 alter the gross vehicle weight restrictions set forth in this act.
14 This subsection does not apply to either of the following:

15 (a) A vehicle utilizing an interstate highway.

16 (b) A vehicle utilizing a road that is subject to seasonal
17 weight restrictions under subsection ~~(8)~~ **(9)** during the time that
18 the seasonal weight restrictions are in effect.

19 **(15)** ~~(14)~~ Notwithstanding any other provision of this section,
20 a vehicle that has a gross weight of 80,000 pounds or less and that
21 is operated by an engine that is fueled wholly or partially by
22 compressed or liquefied natural gas may exceed the axle loading
23 maximums under subsections (1), (2), (3), and ~~(4)~~ **(5)** and the
24 weight load maximums under subsection ~~(12)~~ **(13)** by an amount equal
25 to the difference between the weight of the vehicle attributable to
26 the natural gas tank and fueling system carried by that vehicle and
27 the weight of a comparable diesel tank and fueling system. The

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1 amount by which a vehicle described in this subsection may exceed
2 the axle loading maximums under subsections (1), (2), (3), and ~~(4)~~
3 (5) and the weight load maximums under subsection ~~(12)~~—(13) shall
4 not exceed 2,000 pounds.

5 (16) THE SEASONAL REDUCTIONS DESCRIBED IN SUBSECTION (9) DO
6 NOT APPLY TO A VEHICLE TRANSPORTING FOREST PRODUCTS OR SPECIAL
7 MOBILE EQUIPMENT USED IN SILVICULTURAL OPERATIONS ON AN UNPAVED
8 ROAD, IF THE OWNER OF THE VEHICLE OR SPECIAL MOBILE EQUIPMENT
9 OBTAINS A BOND, CASH DEPOSIT, OR IRREVOCABLE LETTER OF CREDIT IN AN
10 AMOUNT NOT TO EXCEED <<\$5,000.00>> PER MILE FOR EACH MILE OF UNPAVED
11 ROAD UNDER THE JURISDICTION OF THE COUNTY ROAD COMMISSION OR LOCAL
12 AUTHORITY WITH JURISDICTION OVER THE UNPAVED ROAD. <<A BOND, CASH
DEPOSIT, OR IRREVOCABLE LETTER OF CREDIT DESCRIBED IN THIS SECTION SHALL
INCLUDE OR BE ACCOMPANIED BY A DESCRIPTION OF THE ROUTE TO BE TRAVELED BY THE
VEHICLE OR SPECIAL MOBILE EQUIPMENT AND A STATEMENT THAT THE VEHICLE OR
SPECIAL MOBILE EQUIPMENT MAY ONLY TRAVEL ON THE DESCRIBED ROUTE.>> THE OWNER
OF A
13 VEHICLE TRANSPORTING FOREST PRODUCTS OR SPECIAL MOBILE EQUIPMENT
14 USED IN SILVICULTURAL OPERATIONS IS RESPONSIBLE FOR ALL DAMAGE
15 CAUSED BY THE OPERATION OF THAT VEHICLE TO A ROAD<< AS DETERMINED BY THE
COUNTY ROAD COMMISSION OR AUTHORITY WITH JURISDICTION OVER THE ROAD>> AND, IF
THERE IS
16 AT LEAST 1 FULL-TIME RESIDENCE ALONG THAT ROAD, SHALL IMMEDIATELY
17 CEASE ALL HAULING, NOTIFY THE COUNTY ROAD COMMISSION OR AUTHORITY
18 WITH JURISDICTION OVER THE ROAD, AND REPAIR THE ROAD IF ANY PORTION
19 OF THE ROAD BECOMES IMPASSABLE FOR 2-WHEEL DRIVE TRAFFIC.
20 REGARDLESS OF WHETHER THE OWNER OF THE VEHICLE OR SPECIAL MOBILE
21 EQUIPMENT HAS OBTAINED A BOND, CASH DEPOSIT, OR IRREVOCABLE LETTER
22 OF CREDIT, THE OWNER IS FINANCIALLY LIABLE AND RESPONSIBLE FOR THE
23 RESTORATION OF ANY INJURY TO THE ROAD OR RIGHT-OF-WAY TO THE
24 SATISFACTION OF THE COUNTY ROAD COMMISSION OR AUTHORITY WITH
25 JURISDICTION OVER THE ROAD.

26 (17) ~~(15)~~—As used in this section:

27 (a) "Agricultural commodities" means those plants and animals

1 useful to human beings produced by agriculture and includes, but is
2 not limited to, forages and sod crops, grains and feed crops, field
3 crops, dairy and dairy products, poultry and poultry products,
4 cervidae, livestock, including breeding and grazing, equine, fish,
5 and other aquacultural products, bees and bee products, berries,
6 herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock,
7 mushrooms, fertilizer, livestock bedding, farming equipment, fuel
8 for agricultural use, and maple sap. Agricultural commodities do
9 not include trees or lumber.

10 (b) "Emergency public utility work" means work performed to
11 restore public utility service or to eliminate a danger to the
12 public due to a natural disaster, an act of God, or an emergency
13 situation, whether or not a public official has declared an
14 emergency.

15 (c) "Farm storage" means any of the following:

16 (i) An edifice, silo, tank, bin, crib, interstice, or
17 protected enclosed structure, or more than 1 edifice, silo, tank,
18 bin, crib, interstice, or protected enclosed structure located
19 contiguous to each other.

20 (ii) An open environment used for the purpose of temporarily
21 storing a crop.

22 (d) "Public utility" means a public utility under the
23 jurisdiction of the public service commission or a transmission
24 company.

25 (e) "Public utility vehicle" means a vehicle owned or operated
26 by a public utility or operated by a subcontractor on behalf of a
27 public utility.

1 (f) "Transmission company" means either an affiliated
2 transmission company or an independent transmission company as
3 those terms are defined in section 2 of the electric transmission
4 line certification act, 1995 PA 30, MCL 460.562.

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