

HOUSE BILL NO. 5726

April 24, 2020, Introduced by Rep. Iden and referred to the Committee on Government Operations.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722a (MCL 257.722a), as amended by 1995 PA 248, and by adding section 722b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 722a. (1) A truck pulling a trailer, a truck tractor
2 pulling a semitrailer and trailer combination, or a truck tractor
3 pulling 2 semitrailers ~~shall~~**must** not transport a flammable liquid,
4 in bulk, which has a flash point at or below 70 degrees Fahrenheit



1 within this state.

2 (2) A truck pulling a trailer, a truck tractor pulling a
3 semitrailer and trailer combination, or a truck tractor pulling 2
4 semitrailers ~~shall~~**must** not transport a flammable gas or a
5 compressed flammable gas, in bulk, as defined by 49 ~~C.F.R.~~**CFR**
6 parts 100 to 180, within this state.

7 (3) A truck or a truck tractor pulling a semitrailer ~~shall~~
8 **must** not transport a flammable liquid, in bulk, which has a flash
9 point at or below 70 degrees Fahrenheit in this state, unless the
10 truck or the semitrailer has a water capacity of less than 13,800
11 gallons. This subsection does not apply to those vehicles
12 registered with the motor carrier division of the department of
13 state police on or before January 1, 1986.

14 (4) A truck or truck tractor pulling a semitrailer ~~shall~~**must**
15 not transport a flammable liquid, in bulk, which has a flash point
16 at or below 70 degrees Fahrenheit in a quantity of more than 13,400
17 gallons.

18 (5) The owner or driver of a vehicle that transports, or a
19 shipper who loads a vehicle with a flammable liquid, flammable gas,
20 or compressed flammable gas in violation of this section is guilty
21 of a misdemeanor, punishable by a fine of not more than \$3,000.00,
22 or imprisonment for not more than 90 days, or both.

23 (6) This section ~~shall~~**must** be enforced only by a police
24 officer.

25 (7) For the purposes of this section, "in bulk" means an
26 amount of product or material of 3,500 water gallons or more in a
27 single containment system. Commercial motor vehicles transporting
28 hazardous materials ~~shall~~**must** comply with the motor carrier safety
29 act , ~~Act No. 181 of the Public Acts of 1963, being sections 480.11~~



1 ~~to 480.21 of the Michigan Compiled Laws of 1963, 1963 PA 181, MCL~~
2 480.11 to 480.25.

3 Sec. 722b. (1) Notwithstanding any provisions of this act to
4 the contrary, during the state of emergency declared under
5 Executive Order No. 2020-33 or any extension of that order, the
6 following restrictions are suspended for deliveries that meet the
7 immediate needs of the public:

8 (a) All state and local seasonal load restrictions.

9 (b) All state and local restrictions on the noise and timing
10 of loading and delivery of goods.

11 (2) During the state of emergency declared under Executive
12 Order No. 2020-33 or any extension of that order, the state
13 transportation department, or a local authority with respect to
14 highway under its jurisdiction, shall issue permits that allow
15 nonseasonal local restrictions to be exceeded. The permits issued
16 under this subsection must reflect the bridge weight tolerance and
17 must apply to deliveries that meet the immediate needs of the
18 public.

19 (3) As used in this section, "deliveries that meet the
20 immediate needs of the public" includes deliveries of any of the
21 following:

22 (a) Medical supplies and equipment related to the testing,
23 diagnosis, and treatment of COVID-19.

24 (b) Supplies and equipment that are necessary for community
25 safety, sanitation, and the prevention of community transmission of
26 COVID-19 such as masks, gloves, hand sanitizer, soap, and
27 disinfectants.

28 (c) Food for the emergency restocking of stores.

29 (d) Equipment, supplies, and persons necessary to establish



1 and manage temporary housing, quarantine, and isolation facilities
2 related to the COVID-19 pandemic.

3 (e) Persons designated by federal, state, or local authorities
4 for medical, isolation, or quarantine purposes.

5 (f) Individuals necessary to provide other medical or
6 emergency services, the supply of which may be affected by the
7 COVID-19 pandemic.

