



# HOUSE BILL No. 4856

May 17, 1995, Introduced by Rep. Crissman and referred to the Committee on Transportation.

A bill to amend section 716 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," as amended by Act No. 311 of the Public Acts of 1980, being section 257.716 of the Michigan Compiled Laws.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 716 of Act No. 300 of the Public Acts of  
2 1949, as amended by Act No. 311 of the Public Acts of 1980, being  
3 section 257.716 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 716. (1) Unless specifically declared to be a civil  
6 infraction, it is a misdemeanor for a person to drive or move or  
7 for the owner to cause or permit to be driven or moved on a  
8 highway a vehicle or vehicles of a size or weight exceeding the

1 limitations stated in this chapter or otherwise in violation of  
2 this chapter, and the maximum size and weight specified in this  
3 chapter shall be lawful throughout this state, and local authori-  
4 ties shall not alter those size and weight limitations except as  
5 express authority is granted in this chapter.

6 (2) The provisions of this chapter governing size, weight,  
7 and load shall not apply to a fire apparatus, ~~or~~ to an imple-  
8 ment of husbandry incidentally moved upon a highway, A COMBINA-  
9 TION OF VEHICLES DESCRIBED IN SUBSECTION (4) IF THE TRIP IS 50  
10 MILES OR LESS, or to a vehicle operated under the terms of a spe-  
11 cial permit issued as provided in this chapter.

12 (3) The state transportation department, pursuant to THE  
13 ADMINISTRATIVE PROCEDURES ACT OF 1969, Act No. 306 of the Public  
14 Acts of 1969, ~~as amended,~~ BEING SECTIONS 24.201 TO 24.328 OF  
15 THE MICHIGAN COMPILED LAWS, may promulgate rules permitting and  
16 regulating the operation of a vehicle or vehicles of a size or  
17 weight which exceeds the size or weight limitations in this  
18 chapter. The rules may restrict or proscribe the conditions of  
19 operation of a vehicle or vehicles of a size or weight which  
20 exceeds the size or weight limitations in this chapter, if the  
21 restriction or proscription is necessary to protect the public  
22 safety or to prevent undue damage to a road foundation or sur-  
23 face, a structure, or an installation. The rules may provide for  
24 a reasonable inspection fee for an inspection of a vehicle or  
25 vehicles to determine whether their sizes and weights are in con-  
26 formance with this act, and may require other security necessary

1 to compensate for damage caused by the vehicle or vehicles  
2 described in this subsection.

3 (4) A COMBINATION OF VEHICLES, INCLUDING A ROAD SERVICE  
4 VEHICLE AND A DISABLED VEHICLE OR COMBINATION OF DISABLED VEHI-  
5 CLES, THAT EXCEEDS THE SIZE AND WEIGHT LIMITATIONS IN THIS CHAP-  
6 TER MAY BE OPERATED UPON THE HIGHWAYS OF THIS STATE UNDER THE  
7 FOLLOWING CONDITIONS:

8 (A) THE ROAD SERVICE VEHICLE IS SPECIFICALLY DESIGNED FOR  
9 SUCH TOWING OPERATIONS, IS EQUIPPED WITH FLASHING, OSCILLATING,  
10 OR ROTATING AMBER OR RED LIGHTS AS PERMITTED UNDER SECTION 698,  
11 AND IS CAPABLE OF UTILIZING THE LIGHTING AND BRAKING SYSTEMS OF  
12 THE DISABLED VEHICLE OR COMBINATION OF DISABLED VEHICLES IF SUCH  
13 SYSTEMS ARE OPERATIONAL.

14 (B) THE DISABLED VEHICLE OR COMBINATION OF DISABLED VEHICLES  
15 SHALL NOT EXCEED BY THEMSELVES THE SIZE AND WEIGHT LIMITATIONS OF  
16 THIS CHAPTER UNLESS A PERMIT FOR OPERATION WAS GRANTED BY AN  
17 APPROPRIATE JURISDICTIONAL AUTHORITY UNDER SECTION 725. HOWEVER,  
18 THE OWNER OR OPERATOR OF A ROAD SERVICE VEHICLE ASSISTING A DIS-  
19 ABLED VEHICLE OR COMBINATION OF DISABLED VEHICLES SHALL NOT BE  
20 SUBJECT TO THE PENALTIES IMPOSED BY THIS CHAPTER FOR OVERWEIGHT  
21 VEHICLES IF THE DISABLED VEHICLE OR COMBINATION OF DISABLED VEHI-  
22 CLES EXCEED THE SIZE AND WEIGHT LIMITATIONS OF THIS CHAPTER AND A  
23 PERMIT WAS NOT GRANTED BY THE APPROPRIATE JURISDICTIONAL AUTHOR-  
24 ITY UNDER SECTION 725.

25 INSTEAD OF THE REQUIREMENTS OF SUBDIVISIONS (A) AND (B), A  
26 WRITTEN SPECIAL PERMIT MAY BE ISSUED BY AN APPROPRIATE  
27 JURISDICTIONAL AUTHORITY UNDER SECTION 725 AUTHORIZING THE

1 OPERATION OF A COMBINATION OF VEHICLES AS DESCRIBED IN THIS  
2 SUBSECTION.