



SENATE BILL No. 81

January 17, 1995, Introduced by Senator O'BRIEN
and referred to the Committee on Transportation
and Tourism.

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
9 limitations stated in this chapter or otherwise in violation of

1 this chapter, and the maximum size and weight specified in this
2 chapter shall be lawful throughout this state, and local authori-
3 ties shall not alter those size and weight limitations except as
4 express authority is granted in this chapter. HOWEVER, THE
5 DRIVER OF A VEHICLE WHO IS NOT EITHER THE OWNER OF THE VEHICLE OR
6 THE LESSEE OF THE VEHICLE OF AN OWNER-OPERATOR SHALL NOT BE CITED
7 FOR OR BE HELD RESPONSIBLE FOR A CIVIL FINE ASSESSED UNDER SEC-
8 TION 724 OR SHALL NOT BE PROSECUTED UNDER THIS SECTION WHEN THE
9 WEIGHT OF THE VEHICLE EXCEEDS THE LIMITATIONS PROVIDED IN
10 SECTION 722.

11 (2) The provisions of this chapter governing size, weight,
12 and load shall not apply to a fire apparatus, or to an implement
13 of husbandry incidentally moved upon a highway, or to a vehicle
14 operated under the terms of a special permit issued as provided
15 in this chapter.

16 (3) The state transportation department, pursuant to THE
17 ADMINISTRATIVE PROCEDURES ACT OF 1969, Act No. 306 of the Public
18 Acts of 1969, ~~as amended,~~ BEING SECTIONS 24.201 TO 24.328 OF
19 THE MICHIGAN COMPILED LAWS, may promulgate rules permitting and
20 regulating the operation of a vehicle or vehicles of a size or
21 weight which exceeds the size or weight limitations in this
22 chapter. The rules may restrict or proscribe the conditions of
23 operation of a vehicle or vehicles of a size or weight which
24 exceeds the size or weight limitations in this chapter, if the
25 restriction or proscription is necessary to protect the public
26 safety or to prevent undue damage to a road foundation or
27 surface, a structure, or an installation. The rules may provide

1 for a reasonable inspection fee for an inspection of a vehicle or
2 vehicles to determine whether their sizes and weights are in con-
3 formance with this act, and may require other security necessary
4 to compensate for damage caused by the vehicle or vehicles
5 described in this subsection.