

HOUSE BILL No. 5825

May 5, 1998, Introduced by Reps. London, Galloway, Jellema, Crissman, Birkholz, Bodem, Baade, Brackenridge, Voorhees, Curtis and Middleton and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 716 (MCL 257.716), as amended by 1980 PA
311.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 716. (1) Unless specifically declared to be a civil
2 infraction, it is a misdemeanor for a person to drive or move or
3 for the owner to cause or permit to be driven or moved on a high-
4 way a vehicle or vehicles of a size or weight exceeding the limi-
5 tations stated in this chapter or otherwise in violation of this
6 chapter. ~~—, and the~~ THE maximum size and weight specified in
7 this chapter shall be lawful throughout this state. ~~—, and local~~
8 ~~authorities~~ A LOCAL AUTHORITY shall not alter those size and
9 weight limitations except as express authority is granted in this
10 chapter.

1 (2) The provisions of this chapter governing size, weight,
2 and load shall not apply to a fire apparatus, ~~or~~ to an imple-
3 ment of husbandry incidentally moved upon a highway, or to a
4 vehicle operated under the terms of a special permit issued as
5 provided in this chapter.

6 (3) The state transportation department ~~, pursuant to Act~~
7 ~~No. 306 of the Public Acts of 1969, as amended,~~ may promulgate
8 rules PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969
9 PA 306, MCL 24.201 TO 24.328, permitting and regulating the oper-
10 ation of a vehicle or vehicles of a size or weight ~~which~~
11 ~~exceeds~~ THAT EXCEED the size or weight limitations in this
12 chapter. The rules may restrict or proscribe the conditions of
13 operation of a vehicle or vehicles of a size or weight ~~which~~
14 ~~exceeds~~ THAT EXCEED the size or weight limitations in this chap-
15 ter, if the restriction or proscription is necessary to protect
16 the public safety or to prevent undue damage to a road foundation
17 or surface, a structure, or an installation. The rules may pro-
18 vide for a reasonable inspection fee for an inspection of a vehi-
19 cle or vehicles to determine whether their sizes and weights are
20 in conformance with this act, and may require other security nec-
21 essary to compensate for damage caused by the vehicle or vehicles
22 described in this subsection.

23 (4) A GARBAGE OR REFUSE HAULER THAT EXCEEDS THE WEIGHT LIM-
24 TATIONS IN THIS CHAPTER MAY BE OPERATED UPON A HIGHWAY OVER WHICH
25 A LOCAL AUTHORITY HAS JURISDICTION IF THE LOCAL AUTHORITY ADOPTS
26 AN ORDINANCE OR RESOLUTION ALLOWING SUCH MOVEMENT AND ISSUES A
27 PERMIT ALLOWING SUCH MOVEMENT AS PROVIDED BY SECTION 725.