



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1257 (Substitute S-1 as passed by the Senate)
Sponsor: Senator Alan Sanborn
Committee: Transportation

(as enrolled)

Date Completed: 9-15-06

RATIONALE

Under the Michigan Vehicle Code, it is a misdemeanor to drive or move on a highway a vehicle or vehicles exceeding prescribed size and weight limitations, subject to various exceptions. The Code's size, weight, and load restrictions do not apply to a wrecker and a disabled vehicle, or a wrecker and a combination of a disabled vehicle and a trailer, if the wrecker is issued a special permit by the Michigan Department of Transportation (MDOT), as long as each trip beginning from the place where the vehicle or combination of vehicles originally was disabled is a maximum of 25 miles. If a trip begins and ends north of a line between Ludington and Pinconning, the maximum distance is 50 miles.

Reportedly, some law enforcement officers have interpreted this provision to require wrecker operators to pull off of the road at the first safe haven within the prescribed maximum distance. It has been suggested that a wrecker operator should be allowed to pull off the road at any point within the maximum distance, and that the mileage limitations should not apply if a wrecker is towing only one disabled vehicle.

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Eliminate a restriction on the number of miles a wrecker transporting a single disabled vehicle may travel with a special permit issued under Section 725.**
- **Allow a wrecker operator towing a combination of disabled vehicles to remove them from the roadway at**

any lawful point within the maximum distance prescribed in the Code under a special permit.

(Under Section 725 of the Code, if MDOT receives a written application and good cause is shown, the Department may issue a written special permit authorizing an applicant to operate upon or remove from a highway under MDOT's jurisdiction a vehicle or combination of vehicles that are of a size, weight, or load exceeding the specified maximums, or otherwise not in conformity with the Code.)

Under the bill, a wrecker towing a single disabled vehicle still would have to be issued a permit under Section 725 but would not be subject to the limitation of 25 miles from the place of disablement, or 50 miles north of a line between Ludington and Pinconing. In the case of a wrecker towing a combination of disabled vehicles, the permit would be valid for the entire towing distance allowed, and the operator could remove the disabled vehicles from the roadway at any point of his or her choosing within that distance.

MCL 257.716

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Apparently, motor carrier officers sometimes require tow truck operators granted a permit to exceed size and weight restrictions to pull off of the road at the first opportunity, even

if they are within the prescribed distances from where the vehicle was disabled. The bill would eliminate any ambiguity in the statute and facilitate the timely transport of disabled vehicles.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Debra Hollon

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.