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House Bill 4858 (Substitute S-2 as reported by the Committee of the Whole)  
Sponsor: Representative Glenn Anderson  
House Committee: Transportation  
Senate Committee: Transportation

## **CONTENT**

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

- Prohibit a person from transporting a hazardous material for which a placard is required under the Code of Federal Regulations unless the operator has a hazardous material endorsement on his or her license; and prescribe a misdemeanor penalty for a violation.
- Require commercial vehicles with a single or combination weight over 5,000 pounds (rather than motor trucks or truck tractors weighing over 5,000 pounds) to have identifying information painted on or attached to their sides.
- Authorize a peace officer (in addition to a police officer and an agent of the Department of Transportation or a county road commission) to require a driver to stop and submit to a vehicle weighing, and specify the misdemeanor penalty for failure to stop.
- Add an effective date of January 1, 2006, to requirements concerning the fine for an overweight load.
- Revise a provision that sets a penalty for bypassing a weigh station.
- Delete a requirement that \$1.8 million be transferred annually from the Traffic Law Enforcement and Safety Fund (TLESF) to the Trooper Recruit School Fund; and allow the transfer of any amount in the TLESF to the Trooper Recruit School Fund.

The bill also would extend for one year the deposit of the \$5 expeditious treatment fee into the Transportation Administration Collection Fund (TACF). Currently, the fee collected through September 30, 2005, must be deposited into the TACF; after that date, the fee is to be deposited into the Michigan Transportation Fund.

MCL 257.683 et al.

Legislative Analyst: Suzanne Lowe

## **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government. There are no data available to indicate how the proposed changes would affect the number of misdemeanors and civil infractions. Local units incur the cost of misdemeanor probation and incarceration in local facilities, both of which vary by county. Any change in revenue from penal and civil infraction fines would have an effect on public libraries.

The bill also would make voluntary a currently required annual deposit by the Department of State Police into the Trooper Recruit School Fund.

The bill would extend the diversion of revenue from the expeditious treatment fee from the Michigan Transportation Fund to the Transportation Administration Collection Fund through FY 2005-06. The estimated annual revenue from that fee is \$900,000.

Date Completed: 10-5-05

Fiscal Analyst: Mike Hansen/Bruce Baker/Bill Bowerman

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Analysis available @ <http://www.michiganlegislature.org>

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.