

# HOUSE BILL No. 4644

May 23, 2017, Introduced by Reps. Cole, Rendon, Hoitenga, Hornberger, Allor, Dianda and Chirkun and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 725 (MCL 257.725), as amended by 2016 PA 454.

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

1           Sec. 725. (1) Upon receipt of a written application and good  
2 cause being shown, a jurisdictional authority may issue a written  
3 special permit authorizing an applicant to operate upon or remove  
4 from a highway maintained by that jurisdictional authority a  
5 vehicle or combination of vehicles that are any of the following:

6           (a) Of a size, weight, or load exceeding the maximum specified  
7 in this chapter.

8           (b) Otherwise not in conformity with this chapter.

9           (2) The application for a special permit shall be on a form

1 prescribed by the jurisdictional authority and shall specifically  
2 describe the vehicle or vehicles and load to be operated or moved  
3 and the particular highways upon which the special permit to  
4 operate is requested.

5 (3) A jurisdictional authority may issue a special permit and  
6 charge a fee that does not exceed the administrative costs incurred  
7 authorizing the operation of the following upon a highway:

8 (a) Traction engines or tractors having movable tracks with  
9 transverse corrugations upon the periphery of those movable tracks  
10 on farm tractors.

11 (b) Other farm machinery otherwise prohibited under this  
12 chapter.

13 (c) A vehicle of a size or weight otherwise prohibited under  
14 this chapter that is hauling farm machinery to or from a farm.

15 (4) A special permit shall specify the trip or trips and date  
16 or dates for which it is valid and the jurisdictional authority  
17 granting the special permit may restrict or prescribe conditions of  
18 operation of a vehicle or vehicles, if necessary, to protect the  
19 safety of the public or to ensure against undue damage to the road  
20 foundations, surfaces, structures, or installations, and may  
21 require a reasonable inspection fee and other security as that  
22 jurisdictional authority determines necessary to compensate for  
23 damages caused by the movement. A special permit may be issued on  
24 an annual basis. Except as otherwise provided in this section, the  
25 fee charged by the state transportation department for an  
26 intrastate or an out-of-state vehicle for a single trip shall be  
27 \$50.00 and for multiple trips or on an annual basis shall be

1 ~~\$100.00~~—**\$264.00**. Except as otherwise provided in this section, the  
2 fee charged by a jurisdictional authority other than the state  
3 transportation department for an intrastate or an out-of-state  
4 vehicle for a single trip shall be not more than \$50.00 and for  
5 multiple trips or on an annual basis shall be not more than  
6 \$100.00. Effective October 1, 1998, the fee charged by a  
7 jurisdictional authority other than the state transportation  
8 department for a special permit under this subsection shall be the  
9 fee charged on September 30, 1997. The fee charged by a  
10 jurisdictional authority other than the state transportation  
11 department for a special permit under this subsection may be  
12 increased above the amount charged on September 30, 1997 subject to  
13 the maximums allowed by this subsection subject to a prior public  
14 hearing with reasonable notice. However, the fee charged by a  
15 jurisdictional authority other than the state transportation  
16 department for a special permit under this subsection that is more  
17 than \$50.00 for a single trip or that is more than \$100.00 for  
18 multiple trips or on an annual basis, or both, on September 30,  
19 1997 shall not be increased.

20 (5) The fee charged by the state transportation department for  
21 an intrastate or an out-of-state vehicle or combination of vehicles  
22 that exceed the maximum size specified in this chapter but do not  
23 exceed the maximum weight or load specified in this chapter or are  
24 otherwise not in conformity with this chapter shall be \$15.00 for a  
25 single trip and ~~\$30.00~~—**\$264.00** for multiple trips or on an annual  
26 basis. The fees charged under this subsection may be increased not  
27 more than once each year based on the percentage increase in the

1 United States consumer price index for all urban consumers for the  
2 immediately preceding 12-month period rounded to the nearest whole  
3 dollar. This subsection takes effect October 1, 1998.

4 (6) The fee charged by a jurisdictional authority other than  
5 the state transportation department for an intrastate or an out-of-  
6 state vehicle or combination of vehicles of a size exceeding the  
7 maximum specified in this chapter but not exceeding the maximum  
8 weight or load specified in this chapter shall not exceed the  
9 administrative costs incurred by that jurisdictional authority in  
10 issuing the permit. This subsection takes effect October 1, 1998.

11 (7) A special permit issued under this section shall be  
12 carried in the vehicle or combination of vehicles to which it  
13 refers and shall be open to inspection by a police officer or  
14 authorized agent of a jurisdictional authority granting the special  
15 permit. A person shall not violate any of the terms or conditions  
16 of the special permit.

17 (8) A person who violates this section is responsible for a  
18 civil infraction.

19 (9) A jurisdictional authority issuing a special permit to  
20 move a mobile home under this section and a person who is issued a  
21 special permit to move a mobile home under this section are subject  
22 to section 719a.

23 (10) Nothing in this section shall be construed to allow a  
24 jurisdictional authority to impose fees upon or enact regulations  
25 regarding a vehicle or combination of vehicles engaged in  
26 silvicultural operations if the vehicle or combination of vehicles  
27 is not in excess of the size, weight, or load maximums specified in

1 this chapter and is otherwise in conformity with this chapter. This  
2 subsection does not excuse a vehicle or combination of vehicles  
3 engaged in silvicultural operations from the seasonal weight  
4 reductions described in section 722.

5 (11) A JURISDICTIONAL AUTHORITY SHALL ALLOW AN APPLICANT TO  
6 OBTAIN AN ANNUAL MULTIPLE TRIP PERMIT UNDER THIS SECTION FOR A  
7 POWER UNIT WITHOUT REQUIRING A SEPARATE PERMIT FOR EACH INDIVIDUAL  
8 PIECE OF EQUIPMENT CARRIED BY THAT POWER UNIT.

9 (12) ALL OF THE FOLLOWING APPLY TO AN ANNUAL MULTIPLE TRIP  
10 PERMIT ISSUED UNDER THIS SECTION:

11 (A) THE PERMIT MAY BE STORED AND PRESENTED BY THE HOLDER OF  
12 THE PERMIT USING A MOBILE DEVICE.

13 (B) THE PERMIT SHALL PROVIDE THAT THE VEHICLE FOR WHICH IT IS  
14 ISSUED MAY ONLY TRAVEL IN THE EXTREME RIGHT-HAND LANE AVAILABLE FOR  
15 TRAVEL UNLESS PASSING A SLOWER-MOVING VEHICLE OR FOR OTHER SAFETY  
16 REASONS.

17 (C) THE PERMIT SHALL NOT CONTAIN ANY RESTRICTIONS ON DAILY  
18 OPERATING HOURS AND SHALL ONLY INCLUDE MEMORIAL DAY WEEKEND AND  
19 LABOR DAY WEEKEND AS RESTRICTED HOLIDAYS. EXCEPT AS OTHERWISE  
20 PROVIDED IN THIS SUBDIVISION, THE PERMIT SHALL NOT RESTRICT TRAVEL  
21 ON WEEKENDS.

22 (D) THE PERMIT SHALL NOT REQUIRE TRAVEL BELOW THE POSTED SPEED  
23 LIMIT.

24 (E) THE PERMIT SHALL NOT REQUIRE THE APPLICANT TO INPUT A  
25 ROUTE OR OBTAIN APPROVAL OF A ROUTE WHEN APPLYING FOR OR OPERATING  
26 UNDER THE PERMIT.

27 (F) THE PERMIT SHALL REQUIRE THE APPLICANT TO DISPLAY A RED

1 LIGHT AND AN ORANGE FLAG OR CLOTH, OR A RED LIGHT AND A RED FLAG OR  
2 CLOTH, AFTER SUNSET IN THE MANNER PROVIDED IN SECTION 693.

3 (13) ~~(11)~~—As used in this section, "jurisdictional authority"  
4 means the state transportation department, a county road  
5 commission, or a local authority having jurisdiction over a highway  
6 upon which a vehicle is proposed to be moved pursuant to a permit  
7 required under this section.