

HOUSE BILL No. 6204

June 15, 2006, Introduced by Rep. Farhat 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 1998 PA 427.

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~~ **OPERATE** or
3 move or for the owner to cause or permit to be ~~driven~~ **OPERATED** or
4 moved on a highway a vehicle or vehicles of a size or weight
5 exceeding the limitations stated in this chapter or otherwise in
6 violation of this chapter. ~~—, and the~~ **THE** maximum size and weight
7 specified in this chapter ~~shall be~~ **ARE** lawful throughout this
8 state, and local authorities shall not alter those size and weight

1 limitations except as express authority is granted in this chapter.

2 (2) The provisions of this chapter governing size, weight, and
3 load ~~shall~~ **DO** not apply to ~~a fire apparatus~~ **AN AUTHORIZED**
4 **EMERGENCY VEHICLE**, to an implement of husbandry incidentally moved
5 upon a highway, a combination of vehicles described in, and under
6 the conditions provided by, subsection (4), or to a vehicle
7 operated under the terms of a special permit issued as provided in
8 this chapter.

9 (3) The state transportation department, ~~pursuant to~~ **UNDER**
10 the administrative procedures act of 1969, 1969 PA 306, MCL 24.201
11 to 24.328, may promulgate rules permitting and regulating the
12 operation of a vehicle or vehicles of a size or weight ~~which~~ **THAT**
13 exceeds the size or weight limitations in this chapter. The rules
14 may restrict or proscribe the conditions of operation of a vehicle
15 or vehicles of a size or weight ~~which~~ **THAT** exceeds the size or
16 weight limitations in this chapter, if the restriction or
17 proscription is necessary to protect the public safety or to
18 prevent undue damage to a road foundation or surface, a structure,
19 or an installation. The rules may provide for a reasonable
20 inspection fee for an inspection of a vehicle or vehicles to
21 determine whether their sizes and weights are in conformance with
22 this act, and may require other security necessary to compensate
23 for damage caused by the vehicle or vehicles described in this
24 subsection.

25 (4) A wrecker and a disabled vehicle, or a wrecker and a
26 combination of a disabled vehicle and 1 trailer, that exceeds the
27 size and weight limitations in this chapter may be operated upon

1 the highways of this state under the following conditions:

2 (a) The wrecker is specifically designed for such towing
3 operations, is equipped with flashing, oscillating, or rotating
4 amber or red lights as permitted under section 698, and is capable
5 of utilizing the lighting and braking systems of the disabled
6 vehicle or combination of disabled vehicles if those systems are
7 operational.

8 (b) The wrecker is issued an extended restricted permit under
9 section 725 by the state transportation department if each trip
10 beginning from the place of original disablement of the disabled
11 vehicle or combination of vehicles is 25 miles or less except that,
12 for each trip that begins and ends north of a line between
13 Ludington and Pinconning, the trip beginning from the place of
14 original disablement of the disabled vehicle or combination of
15 vehicles may be 50 miles or less.

16 (c) The wrecker does not operate on any highway, road, street,
17 or structure included on a list provided by the state
18 transportation department unless the disabled vehicle or
19 combination of vehicles is located on 1 of those roads or
20 structures.

21 (5) The owner or operator of a wrecker that does not comply
22 with subsection (4)(c) is responsible for a civil infraction and
23 shall pay a civil fine of not less than \$250.00 but not more than
24 \$500.00. The civil fine imposed by this subsection is in addition
25 to any fine that may be imposed under section 724 or 725.