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Senate Bill 1524 (as introduced 9-18-08)
Sponsor: Senator Jud Gilbert, II
Committee: Transportation

Date Completed: 9-23-08

CONTENT

The bill would amend the Michigan Vehicle Code to include subcontractors within certain provisions exempting public utility vehicles from seasonal weight limits.

Exception to Weight Limits

The Code prescribes maximum axle loads and gross vehicle weights for various configurations of vehicles. During the months of March, April, and May, the maximum axle load allowable on concrete pavements or pavements with a concrete base must be reduced by 25% from the specified maximum load, and by 35% on all other types of roads. Additionally, the maximum wheel load may not exceed 525 pounds per inch of tire width on concrete and concrete base or 450 pounds per inch of tire width on all other roads while the seasonal road restrictions are in effect.

The Code makes an exception to those restrictions for public utility vehicles on a highway, road, or street under the jurisdiction of a local road agency, among other vehicles. The exception applies to public utility vehicles that are owned and operated by public utilities under the jurisdiction of the Michigan Public Service Commission (MPSC), or are subcontracted by public utilities to perform electrical emergency public utility work only under certain circumstances.

The bill would remove the requirement that subcontracted vehicles be subcontracted to perform electrical emergency public utility work.

Under the bill, "public utility vehicle" would mean a vehicle owned and operated by a public utility under the jurisdiction of the MPSC, or operated by a subcontractor on behalf of a public utility under the jurisdiction of the MPSC.

Emergency Utility Work

Currently, for emergency public utility work on restricted roads, if required by the county road commission, the public utility must notify the county road commission of the location of the work and provide a statement that the vehicles used to perform the work may have exceeded the loading maximums and gross vehicle weight requirements reduced by the seasonal restrictions.

Under the bill, the public utility or its subcontractor would have to notify the county road commission.

Nonemergency Work

For nonemergency public utility work on restricted roads, if the county road commission requires, the public utility must apply to the county road commission annually for a seasonal truck permit for roads under its authority before seasonal weight restrictions are effective. Under the bill, that requirement also would apply to the public utility's subcontractor.

The county road commission must issue a seasonal truck permit for each vehicle or vehicle configuration the utility anticipates will be used for nonemergency public utility work. The bill would require the road commission to issue a permit for each public utility vehicle or vehicle configuration the public utility or subcontractor anticipated would be used.

In addition to meeting the current requirements, a seasonal truck permit would have to include the following:

- A requirement that in the case of a subcontractor the permit would be valid only while the subcontractor vehicle was being operated in the performance of public utility work.
- A requirement that a subcontractor vehicle or vehicle configuration display signage on the outside of the vehicle to identify it as operating on behalf of the utility.

Notification of Work

If the county road commission requires notification of nonemergency public utility work on restricted roads, the commission must provide a notification application for the public utility to use when requesting access to operate on those roads. The public utility must provide notification to the county road commission at least 24 hours before the time of the intended travel.

Under the bill, those provisions also would apply to a subcontractor for a public utility. A subcontractor using a vehicle on a restricted road would have to have a copy of any notification provided to a county road commission in his or her possession while performing the relevant nonemergency work.

The bill would require a notification application to include, in the case of a subcontractor, the utility on whose behalf the subcontractor was performing services.

MCL 257.722

Legislative Analyst: Curtis Walker

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.