

Legislative Analysis



VEHICLE CODE: IMPLEMENTS OF HUSBANDRY, AUTOCYCLES & CRIB VEHICLES

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Senate Bill 1121 (H-5)

Sponsor: Sen. Bruce Caswell

House Committee: Transportation

Senate Committee: Transportation

Complete to 12-11-12

SUMMARY OF SENATE BILL 1121 (H-5) AS ADOPTED BY HOUSE 12-11-12

Senate Bill 1121 (H-5) would amend four sections of the Michigan Vehicle Code, as follows.

Implements of Husbandry (Sections 21, 59, and 73)

Under current law "implement of husbandry" means either a *farm tractor*, a vehicle designed to be drawn by a farm tractor or animal, a vehicle which directly harvests farm products, or a vehicle which directly applies fertilizer, spray, or seeds to a farm field.

Senate Bill 1121 (H-5) would amend the Section 21 definition of "implement of husbandry" to mean "*vehicle or a trailer in use for the exclusive function of serving agricultural, horticultural, or livestock operations.*" The bill also states that "*Implement of husbandry includes a farm tractor, self-propelled applicator-type vehicle, farm wagon, farm trailer, a vehicle or trailer adapted for lifting or carrying another implement of husbandry, or any substantially similar equipment used to transport products necessary for agricultural production.*"

The bill would also amend Section 59 and Section 73 to exclude implements of husbandry from the definition of "semi-trailer" and "trailer," respectively.

The term "farm tractor" is defined in the Section 257.16 of the Michigan Vehicle Code. The term "farm tractor" is also included in the definition of "special mobile equipment" in Section included 257.62 of the Michigan Vehicle Code.

Regulation of Mopeds (Section 658)

Current law prohibits the use of a *moped* or *electric personal assistive mobility device* to carry more than one person at a time. Both *moped* and *electric personal assistive mobility device* are defined terms in the Michigan Vehicle Code. Senate Bill 1121 (H-5) would strike the reference to "moped," effectively dropping the prohibition on mopeds carrying more than one person at a time.

H-5 Substitute Differences from Committee Substitute

The H-5 substitute differs from the H-1 committee substitute in that the H-5 substitute does not include amendments to Section 717 related to maximum permissible width of

"crib vehicles," and does not include amendments to Section 312b related to motorcycle endorsements on an operator's or chauffeur's license.

FISCAL IMPACT:

Senate Bill 1121 (H-5) deals primarily with two separate subjects within the Michigan Vehicle Code: the definition of "implements of husbandry," and the regulation of mopeds.

Mopeds

The proposed amendment to Section 658 dealing mopeds does not appear to have a direct fiscal impact.

Implements of Husbandry

The proposed amendments to Sections 21, 59, and 73 would include agricultural, horticultural, and livestock trailers in the definition of "implements of husbandry" and exclude them from the definition of "semi-trailer" and "trailer." As a result, the proposed new definition would appear to exempt agricultural, horticultural, and livestock trailers from the registration requirements of Section 216 and thus the registration taxes imposed on trailers under Section 301. This would reduce revenue to the Michigan Transportation Fund by an indeterminate amount.

We note that in addition to the definition sections, and the impact to Section 216, there are 17 other sections of the Michigan Vehicle Code which include the term "instruments of husbandry," including Sections 716, 717, 720, and 721 dealing with vehicle size-weight-load limitations. We have not reviewed how the proposed change to the definition of "instruments of husbandry" would affect those other sections.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.