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Senate Bill 961 (Substitute S-2 as reported)  
Sponsor: Senator Bill Bullard, Jr.  
Committee: Transportation and Tourism

Date Completed: 3-6-00

### **RATIONALE**

Under the Michigan Vehicle Code, if a vehicle has remained on public or private property for a period of time so that it appears to a police agency that the vehicle is abandoned, the police must determine if the vehicle has been reported stolen and put a written notice on the vehicle. The notice must contain certain information, including the date and time the vehicle may be taken into custody and stored at the owner's expense or scrapped if the vehicle is not removed. If the vehicle is not removed within 48 hours after the date the notice was left on the vehicle, it is considered abandoned and the police agency may have the vehicle taken into custody. Apparently, there have been problems with abandoned vehicles and the length of time that they are parked on the shoulders of highways. Abandoned vehicles left on the sides of roadways can distract drivers, contribute to traffic congestion, and potentially cause serious accidents. Some people believe that the amount of time an abandoned vehicle is permitted to remain beside a highway before it is removed should be reduced so that highways can be cleared faster of these traffic hazards.

### **CONTENT**

**The bill would amend the Michigan Vehicle Code to establish an eight-hour deadline for the removal of abandoned vehicles from a State trunk line highway; require a study to be conducted on the impact of this time limit; and, establish a normal length maximum of a single bus that may be operated on a highway in the State.**

#### **Abandoned Vehicle**

The bill provides that, in the case of a State trunk line highway, if an abandoned vehicle were not removed within eight hours after the date a notice was affixed to the vehicle, the vehicle would be considered abandoned and could be taken into custody.

The bill would require the Southeast Michigan Council of Governments (SEMCOG) to conduct a

study in cooperation with the State Department of Transportation and the Department of State Police to evaluate the impact on the change from 48 hours to eight hours, as described above. The bill also would require that SEMCOG submit the study's findings and recommendations to the Secretary of State within 12 months after the bill's effective date.

The bill would revise the definition of "abandoned vehicle" to include a vehicle that had remained on a State trunk line highway for a period of eight hours, after a police agency or other governmental agency designated by the policy agency had affixed a written notice to the vehicle. (Currently, "abandoned vehicle" means a vehicle that has remained on public or private property for a period of 48 hours after the written notice has been affixed.)

#### **Vehicle Length**

The Code establishes a normal length maximum for vehicles operated on a highway in the State, and prohibits single vehicles and combinations of vehicles in excess of these limits from being operated on a State highway. Under the bill, the normal length maximum for any single bus would be 45 feet. In addition, the bill would increase from 65 feet to 75 feet the length of more than one vehicle, wholly or partially assembled, in combination, using one tow bar or three saddle mounts with full mount mechanisms and using the motive power of one of the vehicles in combination.

The bill also would delete the definition of "articulated buses".

MCL 257.252a & 257.719

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

#### **Supporting Argument**

Vehicles abandoned on the side of roads increase traffic congestion, slow the flow of traffic, and reduce the safety of traveling on the State's highways, in both urban and rural areas. According to Department of Transportation officials, highways shoulders provide a "recovery zone" where motorists can steer their disabled vehicles or drive to avoid a hazard in the road. When abandoned vehicles are parked in these areas for long periods of time, the effectiveness of highway shoulders' serving as recovery zones is diminished. The safe flow of traffic along roadways also is reduced as drivers slow down and gawk at a vehicle or veer into another lane to avoid it. Drivers of large trucks are particularly concerned because of the limited amount of space between a truck traveling in the lane adjacent to the shoulder and an abandoned vehicle. In addition, abandoned vehicles can make it difficult for emergency services to reach accidents. Some maintenance workers also have difficulty clearing roads of snow because of the vehicles parked on shoulders.

While drivers should be given time to have a disabled vehicle repaired or moved to another location, allowing a vehicle to remain on the side of a road for 48 hours after police attach a removal notice has a negative impact on the safety of Michigan's roads. Reducing the length of time that an abandoned vehicle may remain on the side of a road would reduce traffic congestion, increase traffic capacity, and improve driving safety.

#### **Supporting Argument**

Some states, such as Illinois, remove vehicles as soon as two hours after police record a vehicle as being left on the side of a road, according to the Michigan Department of Transportation. While the bill would reduce the amount of time that a vehicle could be parked on the side of a road before it was removed, it would still provide ample time for motorists to have a vehicle removed or repaired.

**Response:** Other states and localities permit more time to elapse before a vehicle is removed, according to information from the Department of Transportation. For example, Indiana permits vehicles to remain for 72 hours along the state's roads, except for certain portions of I-94 and I-65 in the northern part of the state. Highly urbanized areas, such as Washington, D.C. and Dallas, Texas, reportedly provide a 72-hour period. Many motorists may need more than eight hours to obtain repair service for their disabled vehicles.

Legislative Analyst: L. Arasim

#### **FISCAL IMPACT**

The bill would have a negligible fiscal impact on State and local government. It is assumed that the

study required under the bill could be completed with the existing resources of the State Departments of Transportation and State Police and the Southeast Michigan Council of Governments.

Fiscal Analyst: B. Baker

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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.