

HOUSE BILL No. 6616

November 6, 2008, Introduced by Reps. Palsrok and Mayes and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 216, 248, and 719a (MCL 257.216, 257.248, and 257.719a), section 216 as amended by 2002 PA 642, section 248 as amended by 2004 PA 495, and section 719a as amended by 1996 PA 136, and by adding sections 38a, 49a, and 74a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 38A. "PARK MODEL TRAILER" MEANS A VEHICLE THAT MEETS ALL**
2 **OF THE FOLLOWING:**

3 **(A) IS BUILT ON A SINGLE CHASSIS, MOUNTED ON WHEELS, AND**
4 **DESIGNED TO BE TOWED BY A MOTOR VEHICLE FROM TIME TO TIME.**

5 **(B) REQUIRES A PERMIT UNDER SECTION 719A TO BE TOWED ON A**
6 **STREET OR HIGHWAY.**

1 (C) IS DESIGNED TO PROVIDE RECREATIONAL SEASONAL OR TEMPORARY
2 LIVING QUARTERS.

3 (D) WHEN USED AS RECREATIONAL SEASONAL OR TEMPORARY LIVING
4 QUARTERS, MAY BE CONNECTED TO UTILITIES NECESSARY FOR THE OPERATION
5 OF INSTALLED FIXTURES AND APPLIANCES.

6 (E) IS NOT A MOBILE HOME AS THAT TERM IS DEFINED IN SECTION 2
7 OF THE MOBILE HOME COMMISSION ACT, 1987 PA 96, MCL 125.2302.

8 SEC. 49A. (1) "RECREATIONAL VEHICLE" MEANS A NEW OR USED
9 VEHICLE THAT HAS ITS OWN MOTIVE POWER OR IS TOWED BY A MOTOR
10 VEHICLE; IS PRIMARILY DESIGNED TO PROVIDE TEMPORARY LIVING QUARTERS
11 FOR RECREATIONAL, CAMPING, TRAVEL, OR SEASONAL USE; COMPLIES WITH
12 ALL APPLICABLE FEDERAL VEHICLE REGULATIONS; AND DOES NOT REQUIRE A
13 PERMIT UNDER SECTION 719A TO BE OPERATED OR TOWED ON A STREET OR
14 HIGHWAY. THE TERM INCLUDES, BUT IS NOT LIMITED TO, A MOTOR HOME,
15 TRAVEL TRAILER, PARK MODEL TRAILER, OR PICKUP CAMPER.

16 (2) "RECREATIONAL VEHICLE DEALER" MEANS A VEHICLE DEALER
17 ENGAGED IN THE BUSINESS OF PURCHASING, SELLING, EXCHANGING,
18 BROKERING, LEASING, OR DEALING IN RECREATIONAL VEHICLES.

19 SEC. 74A. (1) "TRAVEL TRAILER" MEANS A TRAILER COACH, FIFTH
20 WHEEL TRAILER, CAMPING TRAILER, OR OTHER VEHICLE THAT IS DESIGNED
21 TO BE TOWED BY A MOTOR VEHICLE; IS DESIGNED TO PROVIDE TEMPORARY
22 LIVING QUARTERS FOR RECREATIONAL, CAMPING, OR TRAVEL USE; AND DOES
23 NOT REQUIRE A SPECIAL HIGHWAY MOVEMENT PERMIT UNDER SECTION 719A
24 BECAUSE OF ITS SIZE AND WEIGHT WHEN TOWED ON A STREET OR HIGHWAY.

25 (2) AS USED IN THIS SECTION:

26 (A) "CAMPING TRAILER" MEANS A TRAILER COACH CONSTRUCTED WITH
27 COLLAPSIBLE SIDE WALLS THAT FOLD FOR TOWING AND UNFOLD TO PROVIDE

1 TEMPORARY LIVING QUARTERS FOR RECREATIONAL, CAMPING, OR TRAVEL USE.

2 (B) "FIFTH WHEEL TRAILER" MEANS A TRAILER COACH DESIGNED TO BE
3 TOWED BY A MOTOR VEHICLE USING A TOWING MECHANISM THAT IS MOUNTED
4 ABOVE OR FORWARD OF THE TOW VEHICLE'S REAR AXLE.

5 Sec. 216. Every motor vehicle, ~~pickup camper, trailer coach~~
6 **RECREATIONAL VEHICLE**, trailer, semitrailer, and pole trailer, when
7 driven or moved ~~upon~~**ON** a **STREET OR** highway, is subject to the
8 registration and certificate of title provisions of this act except
9 the following:

10 (a) A vehicle driven or moved ~~upon~~**ON** a **STREET OR** highway in
11 conformance with the provisions of this act relating to
12 manufacturers, transporters, dealers, or nonresidents.

13 (b) A vehicle that is driven or moved ~~upon~~**ON** a **STREET OR**
14 highway only for the purpose of crossing that **STREET OR** highway
15 from 1 property to another.

16 (c) An implement of husbandry.

17 (d) Special mobile equipment. ~~for which the~~**THE** secretary of
18 state may issue a special registration to an individual,
19 partnership, corporation, or association not licensed as a dealer
20 **THAT PAYS THE REQUIRED FEE**, to identify ~~the~~**SPECIAL MOBILE**
21 equipment ~~when being moved over the streets and highways upon~~
22 ~~payment of the required fee~~**THAT IS DRIVEN OR MOVED ON A STREET OR**
23 **HIGHWAY**.

24 (e) A vehicle that is propelled exclusively by electric power
25 obtained from overhead trolley wires though not operated ~~upon~~**ON**
26 rails.

27 (f) Any vehicle subject to registration, but owned by the

1 government of the United States.

2 (g) A certificate of title ~~need not be obtained~~ **IS NOT**
3 **REQUIRED** for a trailer, semitrailer, or pole trailer ~~weighing~~ **THAT**
4 **WEIGHS** less than 2,500 pounds.

5 (h) A vehicle driven or moved ~~upon the~~ **ON A STREET OR** highway,
6 **BY THE MOST DIRECT ROUTE**, only for the purpose of securing a **SCALE**
7 weight receipt from a weighmaster ~~as is required in~~ **FOR PURPOSES OF**
8 section 801 ~~,~~ or ~~for~~ obtaining a vehicle inspection by a law
9 enforcement agency before titling or registration ~~,~~ ~~and then only~~
10 ~~by the most direct route~~ **OF THAT VEHICLE**.

11 (i) A certificate of title ~~need not be obtained~~ **IS NOT**
12 **REQUIRED** for a vehicle owned by a manufacturer or dealer and held
13 for sale or lease, even though incidentally moved on ~~the~~ **A STREET**
14 **OR** highway or used for purposes of testing or demonstration.

15 (j) A bus or **A** school bus ~~,~~ ~~as defined in section 4b or 57,~~
16 that is not self-propelled and **IS** used exclusively as a
17 construction shanty.

18 (k) A certificate of title ~~need not be obtained~~ **IS NOT**
19 **REQUIRED** for a moped.

20 (l) For 3 days immediately following the date of a properly
21 assigned title or signed lease agreement from any person other than
22 a ~~vehicle~~ dealer, a registration ~~need not be obtained~~ **IS NOT**
23 **REQUIRED** for a vehicle driven or moved ~~upon the~~ **ON A STREET OR**
24 highway for the sole purpose of transporting the vehicle ~~in~~ **BY** the
25 most direct route from the place of purchase or lease to a place of
26 storage if the driver has in his or her possession the assigned
27 title showing the date of sale or **A** lease agreement showing the

1 date of the lease.

2 (m) A certificate of registration ~~need not be obtained~~ **IS NOT**
3 **REQUIRED** for a pickup camper, but a certificate of title ~~shall be~~
4 ~~obtained~~ **IS REQUIRED**.

5 (n) A new motor vehicle driven or moved ~~upon the~~ **ON A STREET**
6 **OR** highway only for the purpose of moving the vehicle from an
7 accident site to a storage location if the vehicle was being
8 transported on a railroad car or semitrailer that was involved in a
9 disabling accident.

10 Sec. 248. (1) The secretary of state shall not grant a dealer
11 license under this section until an investigation is made of the
12 applicant's qualifications under this act, except that this
13 subsection does not apply to **DEALER** license renewals. The secretary
14 of state shall make the investigation within 15 days after
15 receiving the application and make a report on the investigation.

16 (2) An applicant for a new vehicle dealer ~~or~~ **LICENSE**, a used
17 or secondhand vehicle dealer or broker license, **OR A RECREATIONAL**
18 **VEHICLE LICENSE** shall include a properly executed bond or renewal
19 certificate with the application. If a renewal certificate is used,
20 the bond is considered renewed for each succeeding year in the same
21 amount and with the same effect as an original bond. The bond shall
22 be in the sum of \$10,000.00 with good and sufficient surety ~~to be~~
23 approved by the secretary of state. The bond shall indemnify or
24 reimburse a purchaser, seller, lessee, financing agency, or
25 governmental agency for monetary loss caused through fraud,
26 cheating, or misrepresentation in the conduct of the vehicle
27 business whether the fraud, cheating, or misrepresentation was made

1 by the dealer or by an employee, agent, or salesperson of the
2 dealer. The surety shall make indemnification or reimbursement for
3 a monetary loss only after judgment based on fraud, cheating, or
4 misrepresentation has been entered in a court of record against the
5 licensee. The bond shall also indemnify or reimburse the state for
6 any sales tax deficiency as provided in the general sales tax act,
7 1933 PA 167, MCL 205.51 to 205.78, or use tax deficiency as
8 provided in the use tax act, 1937 PA 94, MCL 205.91 to 205.111, for
9 the year in which the bond is in force. The surety shall make
10 indemnification or reimbursement only after final judgment has been
11 entered in a court of record against the licensee. A dealer or
12 applicant ~~who~~**THAT** has furnished satisfactory proof that a bond
13 similar to the bond required by this subsection is executed and in
14 force is exempt from the bond provisions set forth in this
15 subsection. The aggregate liability of the surety shall not exceed
16 the sum of the bond. The surety on the bond may cancel the bond
17 ~~upon~~**BY** giving 30 days' notice in writing to the secretary of state
18 and ~~thereafter~~**AFTER THAT PERIOD** is not liable for a breach of
19 condition occurring after the effective date of the cancellation.

20 (3) An applicant for a new vehicle dealer, ~~or a~~ used or
21 secondhand vehicle dealer, **OR RECREATIONAL VEHICLE DEALER** license
22 shall apply for not less than 2 dealer plates ~~as provided by~~
23 **REQUIRED UNDER** section 245 and shall include with the application
24 the proper fee ~~as provided by~~**REQUIRED UNDER** section 803.

25 (4) As a condition precedent to the granting of a **DEALER**
26 license, ~~a~~**THE** dealer shall file with the secretary of state an
27 irrevocable written stipulation, authenticated by the applicant,

1 stipulating and agreeing that legal process affecting the dealer,
2 served on the secretary of state or a deputy of the secretary of
3 state, has the same effect as if personally served on the dealer.
4 This appointment remains in force as long as the dealer has any
5 outstanding liability within this state.

6 (5) A person shall not carry on or conduct the business of
7 buying, selling, brokering, leasing, negotiating a lease, or
8 dealing in 5 or more vehicles of a type required to be titled under
9 this act in a 12-month period unless the person obtains a dealer
10 license from the secretary of state authorizing the carrying on or
11 conducting of that business. A person shall not carry on or conduct
12 the business of buying, selling, brokering, leasing, negotiating a
13 lease, or dealing in 5 or more distressed, late model vehicles or
14 salvageable parts to 5 or more of those vehicles in a 12-month
15 period unless the person obtains a used or secondhand vehicle parts
16 dealer, an automotive recycler, or a salvage pool license from the
17 secretary of state or is an insurance company admitted to conduct
18 business in this state. A person shall not carry on or conduct the
19 business of buying 5 or more vehicles in a 12-month period to
20 process into scrap metal or store or display 5 or more vehicles in
21 a 12-month period as an agent or escrow agent of an insurance
22 company unless the person obtains a dealer license from the
23 secretary of state. A vehicle scrap metal processor who does not
24 purchase vehicles or salvageable parts from unlicensed persons is
25 not required to obtain a dealer license. A person from another
26 state shall not purchase, sell, or otherwise deal in distressed,
27 late model vehicles or salvageable parts unless the person obtains

1 a foreign salvage vehicle dealer license from the secretary of
2 state ~~as prescribed~~ under section 248b. A person, including a
3 dealer, shall not purchase or acquire a distressed, late model
4 vehicle or a salvageable part through a salvage pool, auction, or
5 broker without a license as a salvage vehicle agent. The secretary
6 of state shall investigate and seek prosecution, if necessary, of
7 ~~persons~~ **ANY PERSON** allegedly conducting a business without a **DEALER**
8 license.

9 (6) ~~The~~ **AN** application for a dealer license shall be in the
10 form prescribed by the secretary of state, ~~and~~ shall be signed by
11 the applicant, ~~. In addition to other information as may be~~
12 ~~required by the secretary of state, the application~~ **AND** shall
13 include all of the following:

14 (a) Name of **THE** applicant.

15 (b) Location of **THE** applicant's established place of business
16 in this state, together with written verification from the
17 appropriate governing or zoning authority that the established
18 place of business meets all applicable municipal and zoning
19 requirements.

20 (c) The name under which business is to be conducted.

21 (d) If the business is a corporation, the state of
22 incorporation.

23 (e) Name, address, date of birth, and social security number
24 of each owner or partner **OF THE APPLICANT** and, if a corporation,
25 the name, address, date of birth, and social security number of
26 each of the principal officers **OF THE CORPORATION**.

27 (f) The county in which the business is to be conducted and

1 the address of each place of business in that county.

2 (g) If new vehicles **OR NEW RECREATIONAL VEHICLES** are to be
3 sold, the make ~~to be handled~~ **OF THOSE NEW VEHICLES OR NEW**
4 **RECREATIONAL VEHICLES**. Each new vehicle **OR NEW RECREATIONAL VEHICLE**
5 dealer shall send with the application for license a certification
6 that the dealer holds a bona fide contract to act as factory
7 representative, factory distributor, or distributor representative
8 to sell at retail (the make of vehicle **OR RECREATIONAL**
9 **VEHICLE** to be sold).

10 (h) A statement of the previous history, record, and
11 associations of the applicant and of each owner, partner, officer,
12 and director. The statement shall be sufficient to establish to the
13 satisfaction of the secretary of state the business reputation and
14 character of the applicant.

15 (i) A statement showing whether the applicant has previously
16 applied for a license, the result of the application, and whether
17 the applicant has ever been the holder of a dealer license that was
18 revoked or suspended.

19 (j) If the applicant is a corporation or partnership, a
20 statement showing whether a partner, employee, officer, or director
21 has been refused a license or has been the holder of a license that
22 was revoked or suspended.

23 (k) If the application is for a used or secondhand vehicle
24 parts dealer or an automotive recycler, it shall include all of the
25 following:

26 (i) Evidence that the applicant maintains or will maintain an
27 established place of business.

1 (ii) Evidence that the applicant maintains or will maintain a
2 police book and vehicle parts purchase and sales and lease records
3 as required under this act.

4 (iii) Evidence of worker's compensation insurance coverage for
5 employees classified under the North American industrial
6 classification system number 42114, entitled "motor vehicle parts
7 (used) wholesalers" or under the national council on compensation
8 insurance classification code number 3821, entitled "automobile
9 dismantling and drivers", if applicable.

10 (l) Certification that neither the applicant nor another person
11 named on the application is acting as the alter ego of any other
12 person or persons in seeking the license. For the purpose of this
13 subdivision, "alter ego" means a person ~~who~~ **THAT** acts for and on
14 behalf of, or in the place of, another person for purposes of
15 obtaining a vehicle dealer license.

16 **(M) ANY OTHER INFORMATION REQUIRED BY THE SECRETARY OF STATE.**

17 (7) A person shall apply separately for a dealer license for
18 each county in which business is to be conducted. Before moving 1
19 or more ~~of his or her~~ places of business or opening an additional
20 place of business, a dealer shall apply to the secretary of state
21 for and obtain a supplemental dealer license. ~~, for which a fee~~
22 ~~shall not be charged. A~~ **THE SECRETARY OF STATE SHALL NOT CHARGE A**
23 **FEE FOR ISSUING A SUPPLEMENTAL DEALER LICENSE AND SHALL ISSUE A**
24 supplemental dealer license ~~shall be issued only~~ for a location,
25 including a tent, temporary stand, or any temporary quarters, that
26 does not meet the definition of an established place of business,
27 within the county in which the dealer's established place of

1 business is located. A dealer license entitles the dealer to
 2 conduct the business of buying, selling, leasing, and dealing in
 3 vehicles or salvageable parts in the county covered by the license.
 4 The dealer license shall also entitle the dealer to conduct at any
 5 other licensed dealer's established place of business in this state
 6 only the business of buying, selling, leasing, or dealing in
 7 vehicles at wholesale.

8 (8) The secretary of state shall classify and differentiate
 9 vehicle dealers according to the type of activity they perform. A
 10 dealer shall not engage in activities of a particular
 11 classification as provided in this act unless the dealer is
 12 licensed in that classification. An applicant may apply for a
 13 dealer license in 1 or more of the following classifications:

- 14 (a) New vehicle dealer.
- 15 (b) Used or secondhand vehicle dealer.
- 16 (C) **BEGINNING JULY 1, 2009, RECREATIONAL VEHICLE DEALER.**
- 17 (D) ~~(e)~~—Used or secondhand vehicle parts dealer.
- 18 (E) ~~(d)~~—Vehicle scrap metal processor.
- 19 (F) ~~(e)~~—Vehicle salvage pool operator.
- 20 (G) ~~(f)~~—Distressed vehicle transporter.
- 21 (H) ~~(g)~~—Broker.
- 22 (I) ~~(h)~~—Foreign salvage vehicle dealer.
- 23 (J) ~~(i)~~—Automotive recycler.
- 24 (K) ~~(j)~~—Beginning April 1, 2005, wholesaler.

25 (9) A dealer license expires on December 31 of the last year
 26 for which the license is issued. The secretary of state may renew a
 27 dealer license for a period of not more than 4 years ~~upon~~**AFTER**

1 **RECEIVING AN** application and payment of the fee required ~~by~~ **UNDER**
2 section 807.

3 (10) A dealer may conduct the business of buying, selling, or
4 dealing in ~~motor homes, trailer coaches, trailers, or pickup~~
5 ~~campers~~ **TRAILERS OR RECREATIONAL VEHICLES** at a recreational vehicle
6 show conducted at a location in this state without obtaining a
7 separate or supplemental license under subsection (7) if all of the
8 following apply:

9 (a) The dealer is licensed as a new vehicle dealer, ~~or~~ used or
10 secondhand vehicle dealer, **OR RECREATIONAL VEHICLE DEALER.**

11 (b) The duration of the recreational vehicle show is not more
12 than 14 days.

13 (c) Not less than 14 days before the beginning date of the
14 recreational vehicle show, the show producer notifies the secretary
15 of state, in a manner and form prescribed by the secretary of
16 state, that the recreational vehicle show is scheduled, the
17 location, dates, and times of the recreational vehicle show, and
18 the name, address, and dealer license number of each dealer
19 participating in the recreational vehicle show.

20 Sec. 719a. (1) Notwithstanding any other provisions of this
21 act, a person shall not operate ~~on the highways of this state~~ a
22 towing vehicle to which a mobile home **OR PARK MODEL TRAILER** is
23 attached, ~~—~~ **ON A STREET OR HIGHWAY** if that mobile home **OR PARK MODEL**
24 **TRAILER** is more than 45 feet in length or more than 60 feet in
25 length when combined with the towing vehicle, is more than 12-1/2
26 feet in height, and has an actual body width of more than 102
27 inches at base rail, unless that person possesses either of the

1 following:

2 (a) A permit issued by the jurisdictional authority pursuant
3 ~~to~~**UNDER** this section.

4 (b) A special permit issued by the jurisdictional authority
5 ~~pursuant to~~**UNDER** section 725.

6 (2) ~~The~~**A** jurisdictional authority may issue to a mobile home
7 **OR PARK MODEL TRAILER** transport company, a mobile home **OR PARK**
8 **MODEL TRAILER** manufacturer, or a mobile home **OR PARK MODEL TRAILER**
9 dealer an annual permit to move ~~over a~~**ON A STREET OR** highway, in
10 the ordinary course of that company's, manufacturer's, or dealer's
11 business, a mobile home **OR PARK MODEL TRAILER** that conforms to each
12 of the following:

13 (a) The mobile home **OR PARK MODEL TRAILER** is not more than 12
14 feet wide.

15 (b) The actual body length of the mobile home **OR PARK MODEL**
16 **TRAILER** is not more than 80 feet and the combined length of the
17 mobile home **OR PARK MODEL TRAILER** and towing vehicle is not more
18 than 105 feet or the total length of a combination of mobile homes
19 **OR PARK MODEL TRAILERS** is not more than 80 feet and the total
20 length of a combination of mobile homes **OR PARK MODEL TRAILERS** and
21 towing vehicle is not more than 105 feet.

22 (3) A jurisdictional authority ~~may, in accordance with~~**UNDER**
23 section 725 ~~,~~**MAY** issue a special permit for the movement of a
24 mobile home ~~over~~**OR PARK MODEL TRAILER ON a STREET OR** highway
25 within its jurisdiction if the width of that mobile home **OR PARK**
26 **MODEL TRAILER** conforms to both of the following:

27 (a) The mobile home **OR PARK MODEL TRAILER** is not more than 16

1 feet wide plus normal appurtenances or eaves that extend not more
2 than 6 inches from any side of the mobile home **OR PARK MODEL**
3 **TRAILER.**

4 (b) The length of the mobile home **OR PARK MODEL TRAILER**
5 complies with subsection (2)(b).

6 (4) A person operating a towing vehicle under subsection (3)
7 shall transport a mobile home **OR PARK MODEL TRAILER** only on the
8 lane farthest to the right of that person. A person shall not move
9 a mobile home **OR PARK MODEL TRAILER** that is 14 or more feet in
10 width including an eave of 2 feet when the wind velocity exceeds 25
11 miles per hour.

12 (5) A jurisdictional authority shall not issue a permit
13 described in subsection (2) or (3) for the transport of a mobile
14 home **OR PARK MODEL TRAILER** on a Saturday, Sunday, legal holiday,
15 from the noon before until the noon after a holiday, or during the
16 hours between sunset and sunrise.

17 (6) A jurisdictional authority shall provide and a person
18 operating a towing vehicle shall comply with all of the following
19 in a permit issued under this section:

20 (a) The date, day, and time period during which a mobile home
21 **OR PARK MODEL TRAILER** subject to the permit may be moved on a
22 highway.

23 (b) Notice that the permit is conditioned upon its holder's
24 compliance with the permit's terms and with the law.

25 (c) Notice that the operator of a towing vehicle transporting
26 the mobile home **OR PARK MODEL TRAILER** shall operate the towing
27 vehicle on a highway as follows:

1 (i) At a safe speed and in a safe manner that will not impede
2 motor traffic.

3 (ii) Only when the surface condition of the highway is not
4 slippery.

5 (iii) In ~~accordance~~ **COMPLIANCE** with seasonal load restrictions.

6 (d) For a mobile home **OR PARK MODEL TRAILER** and towing vehicle
7 that, when combined, are more than 80 feet in length or more than
8 12 feet wide, all of the following:

9 (i) Notice that the mobile home **OR PARK MODEL TRAILER** shall be
10 equipped with 2 flashing amber lights on the rear of the mobile
11 home **OR PARK MODEL TRAILER** and 1 flashing amber light on the top of
12 the towing vehicle.

13 (ii) Notice that the mobile home **OR PARK MODEL TRAILER** shall be
14 equipped with stop lights and directional lights on the rear of the
15 mobile home **OR PARK MODEL TRAILER**.

16 (iii) Notice that signs with the words "oversize load" shall be
17 displayed on the front bumper of the towing vehicle and the back of
18 the mobile home **OR PARK MODEL TRAILER** or, in the case of mobile
19 homes **OR PARK MODEL TRAILERS** that are 16 feet wide, notice that
20 signs with the words "16-ft wide load" shall be displayed on the
21 front bumper of the towing vehicle and the back of the mobile home
22 **OR PARK MODEL TRAILER**.

23 (iv) Notice that the signs identified in subparagraph (iii) shall
24 be of durable material, in good condition, with black lettering on
25 interstate yellow background, and that each letter shall be of
26 block lettering not less than 12 inches high at the front and not
27 less than 16 inches high at the rear of the unit.

1 (v) Notice that a vehicle escort is required on those roads
2 where the state police consider escort vehicles necessary for
3 highway safety.

4 (7) Signs and other special identification for escort vehicles
5 shall conform to state transportation department requirements for
6 all escort vehicles for oversized loads.

7 (8) For a mobile home **OR PARK MODEL TRAILER** being moved
8 pursuant to this section or section 725, the distance between
9 mobile home **OR PARK MODEL TRAILER** axle centers shall not be less
10 than 34 inches. The axles and tires shall meet standards
11 established by the state transportation department.

12 (9) This section does not grant or give authority to the state
13 transportation department that did not exist on May 1, 1982, in
14 accordance with ~~section 127 of title 23 of the United States Code,~~
15 ~~23 U.S.C. 127~~ **23 USC 127.**

16 (10) A person ~~who~~ **THAT** violates this section is responsible
17 for a civil infraction and may be assessed a civil fine of not more
18 than \$500.00. The owner of the towing vehicle may be charged with a
19 violation of this section.

20 (11) The state transportation commission may order the state
21 transportation department to immediately cease issuing all special
22 permits to move on the highways of the lower peninsula of this
23 state a mobile home **OR PARK MODEL TRAILER** that is more than 14-1/3
24 feet wide plus normal appurtenances that extend no more than 6
25 inches, and an eave that extends no more than 2 feet from the width
26 of that mobile home ~~upon a~~ **OR PARK MODEL TRAILER IF THE** state
27 transportation commission **MAKES A** determination that those permits

1 create an unreasonable safety hazard or hazards. The state
2 transportation commission shall notify all other jurisdictional
3 authorities of ~~the~~**A** determination made under this subsection. The
4 order shall not prohibit the issuance of a special permit for the
5 movement of a mobile home **OR PARK MODEL TRAILER** if a binding
6 contract for the movement of that mobile home **OR PARK MODEL TRAILER**
7 was executed before the commission determination of an unreasonable
8 safety hazard or hazards.

9 (12) As used in this section:

10 (a) "Jurisdictional authority" means the state transportation
11 department, a county road commission, or a local authority ~~having~~
12 **THAT HAS** jurisdiction over a **STREET OR** highway ~~upon~~**ON** which a
13 mobile home is proposed to be moved.

14 (b) "Mobile home" means any of the following:

15 (i) A prebuilt housing module.

16 (ii) That term as defined in section 2 of the mobile home
17 commission act, ~~Act No. 96 of the Public Acts of 1987, being~~
18 ~~section 125.2302 of the Michigan Compiled Laws 1987 PA 96, MCL~~
19 **125.2302.**

20 (iii) A section of a mobile home as that term is defined in
21 subparagraph (ii).

22 Enacting section 1. This amendatory act takes effect July 1,
23 2009.

24 Enacting section 2. This amendatory act does not take effect
25 unless Senate Bill No. ____ or House Bill No. 6617(request no.
26 08271'08 *) of the 94th Legislature is enacted into law.