

HOUSE BILL No. 5597

April 26, 2016, Introduced by Reps. Aaron Miller, Chirkun, LaFontaine, Goike, Crawford, Yanez, Cole and Kosowski and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 725 (MCL 257.725), as amended by 1998 PA 247.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 725. (1) Upon receipt of a written application and good
2 cause being shown, a jurisdictional authority may issue a written
3 special permit authorizing an applicant to operate upon or remove
4 from a highway maintained by that jurisdictional authority a
5 vehicle or combination of vehicles that are any of the following:

6 (a) Of a size, weight, or load exceeding the maximum specified
7 in this chapter.

8 (b) Otherwise not in conformity with this chapter.

9 (2) The application for a special permit shall be on a form
10 prescribed by the jurisdictional authority and shall specifically

1 describe the vehicle or vehicles and load to be operated or moved
2 and the particular highways upon which the special permit to
3 operate is requested.

4 (3) A jurisdictional authority may issue a special permit and
5 charge a fee that does not exceed the administrative costs incurred
6 authorizing the operation of the following upon a highway:

7 (a) Traction engines or tractors having movable tracks with
8 transverse corrugations upon the periphery of those movable tracks
9 on farm tractors.

10 (b) Other farm machinery otherwise prohibited under this
11 chapter.

12 (c) A vehicle of a size or weight otherwise prohibited under
13 this chapter that is hauling farm machinery to or from a farm.

14 **(4) THE STATE TRANSPORTATION DEPARTMENT SHALL ISSUE A SPECIAL**
15 **PERMIT ON AN ANNUAL BASIS TO A VEHICLE OPERATED BY A SOLID WASTE**
16 **HAULER THAT IS PARTY TO AN EXCLUSIVE CONTRACT FOR MUNICIPAL SOLID**
17 **WASTE, MUNICIPAL SOURCE SEPARATED MATERIAL, OR MUNICIPAL YARD**
18 **CLIPPINGS, IF THE SOLID WASTE HAULER PROVIDES VERIFICATION OF THE**
19 **CONTRACT AND ANY EXTENSIONS OF THE CONTRACT. THE FEE FOR A SPECIAL**
20 **PERMIT ISSUED UNDER THIS SUBSECTION SHALL NOT EXCEED \$500.00 PER**
21 **VEHICLE PROVIDED FOR IN THE CONTRACT. FEES COLLECTED UNDER THIS**
22 **SUBSECTION SHALL BE CREDITED TO THE MICHIGAN TRANSPORTATION FUND**
23 **CREATED IN SECTION 10 OF 1951 PA 51, MCL 247.660.**

24 (5) ~~(4)~~—A special permit shall specify the trip or trips and
25 date or dates for which it is valid and the jurisdictional
26 authority granting the special permit may restrict or prescribe
27 conditions of operation of a vehicle or vehicles, if necessary, to

1 protect the safety of the public or to ensure against undue damage
2 to the road foundations, surfaces, structures, or installations,
3 and may require a reasonable inspection fee and other security as
4 that jurisdictional authority determines necessary to compensate
5 for damages caused by the movement. A special permit may be issued
6 on an annual basis. Except as otherwise provided in this section,
7 the fee charged by the state transportation department for an
8 intrastate or an out-of-state vehicle for a single trip shall be
9 \$50.00 and for multiple trips or on an annual basis shall be
10 \$100.00. Except as otherwise provided in this section, the fee
11 charged by a jurisdictional authority other than the state
12 transportation department for an intrastate or an out-of-state
13 vehicle for a single trip shall be not more than \$50.00 and for
14 multiple trips or on an annual basis shall be not more than
15 \$100.00. Effective October 1, 1998, the fee charged by a
16 jurisdictional authority other than the state transportation
17 department for a special permit under this subsection shall be the
18 fee charged on September 30, 1997. The fee charged by a
19 jurisdictional authority other than the state transportation
20 department for a special permit under this subsection may be
21 increased above the amount charged on September 30, 1997 subject to
22 the maximums allowed by this subsection subject to a prior public
23 hearing with reasonable notice. However, the fee charged by a
24 jurisdictional authority other than the state transportation
25 department for a special permit under this subsection that is more
26 than \$50.00 for a single trip or that is more than \$100.00 for
27 multiple trips or on an annual basis, or both, on September 30,

1 1997 shall not be increased.

2 (6) ~~(5) The~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE**
3 fee charged by the state transportation department for an
4 intrastate or an out-of-state vehicle or combination of vehicles
5 that exceed the maximum size specified in this chapter but do not
6 exceed the maximum weight or load specified in this chapter or are
7 otherwise not in conformity with this chapter shall be \$15.00 for a
8 single trip and \$30.00 for multiple trips or on an annual basis.
9 The fees charged under this subsection may be increased not more
10 than once each year based on the percentage increase in the United
11 States consumer price index for all urban consumers for the
12 immediately preceding 12-month period rounded to the nearest whole
13 dollar. ~~This subsection takes effect October 1, 1998.~~

14 (7) ~~(6) The~~ fee charged by a jurisdictional authority other
15 than the state transportation department for an intrastate or an
16 out-of-state vehicle or combination of vehicles of a size exceeding
17 the maximum specified in this chapter but not exceeding the maximum
18 weight or load specified in this chapter shall not exceed the
19 administrative costs incurred by that jurisdictional authority in
20 issuing the permit. ~~This subsection takes effect October 1, 1998.~~

21 (8) ~~(7) A~~ special permit issued under this section shall be
22 carried in the vehicle or combination of vehicles to which it
23 refers and shall be open to inspection by a police officer or
24 authorized agent of a jurisdictional authority granting the special
25 permit. A person shall not violate any of the terms or conditions
26 of the special permit.

27 (9) ~~(8) A~~ person who violates this section is responsible for

1 a civil infraction.

2 (10) ~~(9)~~—A jurisdictional authority issuing a special permit
3 to move a mobile home under this section and a person who is issued
4 a special permit to move a mobile home under this section are
5 subject to section 719a.

6 (11) ~~(10)~~—As used in this section: ~~,"jurisdictional~~
7 ~~authority"~~

8 (A) **"JURISDICTIONAL AUTHORITY"** means the state transportation
9 department, a county road commission, or a local authority having
10 jurisdiction over a highway upon which a vehicle is proposed to be
11 moved pursuant to a permit required under this section.

12 (B) **"SOLID WASTE HAULER" MEANS THAT TERM AS DEFINED IN SECTION**
13 **11506 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT,**
14 **1994 PA 451, MCL 324.11506.**

15 (C) **"SOURCE SEPARATED MATERIAL" MEANS THAT TERM AS DEFINED IN**
16 **SECTION 11506 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION**
17 **ACT, 1994 PA 451, MCL 324.11506.**

18 (D) **"YARD CLIPPINGS" MEANS THAT TERM AS DEFINED IN SECTION**
19 **11506 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT,**
20 **1994 PA 451, MCL 324.11506.**