

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

***** 257.716.amended THIS AMENDED SECTION IS EFFECTIVE APRIL 5, 2017 *****

257.716.amended Exceeding size and weight limitations as misdemeanor; exceptions; rules; operation of wrecker, disabled vehicle, and trailer; noncompliance as civil infraction; fine.

Sec. 716. (1) Unless specifically declared to be a civil infraction, it is a misdemeanor for a person to drive or move or for the owner to cause or permit to be driven or moved on a highway a vehicle or vehicles of a size or weight exceeding the limitations stated in this chapter or otherwise in violation of this chapter, and the maximum size and weight specified in this chapter are lawful throughout this state, and local authorities shall not alter those size and weight limitations except as express authority is granted in this chapter.

(2) The provision of this chapter governing size, weight, and load do not apply to a fire apparatus, to an implement of husbandry, a boat lift or oversized hydraulic boat trailer owned and operated by a marina or watercraft dealer used exclusively in a commercial boat storage operation and incidentally moved upon a highway, a combination of vehicles described in, and under the conditions provided by, subsection (4), or to a vehicle operated under the terms of a special permit issued as provided in this chapter.

(3) The state transportation department, under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, may promulgate rules permitting and regulating the operation of a vehicle or vehicles of a size or weight that exceeds the size or weight limitations in this chapter. The rules may restrict or proscribe the conditions of operation of a vehicle or vehicles of a size or weight that exceeds the size or weight limitations in this chapter, if the restriction or proscription is necessary to protect the public safety or to prevent undue damage to a road foundation or surface, a structure, or an installation. The rules may provide for a reasonable inspection fee for an inspection of a vehicle or vehicles to determine whether their sizes and weights are in conformance with this act, and may require other security necessary to compensate for damage caused by the vehicle or vehicles described in this subsection.

(4) A wrecker and a disabled vehicle, or a wrecker and a combination of a disabled vehicle and 1 trailer, that exceeds the size and weight limitations in this chapter may be operated upon the highways of this state under the following conditions:

(a) The wrecker is specifically designed for such towing operations, is equipped with flashing, oscillating, or rotating amber or red lights as permitted under section 698, and is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of disabled vehicles if those systems are operational.

(b) For a combination of disabled vehicles, the wrecker is issued a special permit under section 725 by the state transportation department. The special permit is valid for the entire towing distance, and the operator of the wrecker may remove the disabled vehicles from the roadway at any lawful point of his or her choosing within that distance.

(c) For a single disabled vehicle, the wrecker is issued a special permit under section 725 by the state transportation department for the transport of the disabled vehicle. A wrecker operator is not subject to mileage limitations for a special permit issued for purposes of this subdivision.

(d) The wrecker does not operate on any highway, road, street, or structure included on a list provided by the state transportation department unless the disabled vehicle or combination of vehicles is located on 1 of those roads or structures.

(5) The owner or operator of a wrecker that does not comply with subsection (4)(d) is responsible for a civil infraction and shall pay a civil fine of not less than \$250.00 or more than \$500.00. The civil fine imposed under this subsection is in addition to any fine that may be imposed under section 724 or 725.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1970, Act 177, Imd. Eff. Aug. 3, 1970;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1980, Act 311, Imd. Eff. Dec. 4, 1980;—Am. 1998, Act 427, Eff. Mar. 1, 1999;—Am. 2006, Act 509, Imd. Eff. Dec. 29, 2006;—Am. 2008, Act 539, Imd. Eff. Jan. 13, 2009;—Am. 2016, Act 453, Eff. Apr. 5, 2017.