



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5766 (Substitute H-2 as passed by the House)
Sponsor: Representative Triston Cole
House Committee: Transportation and Infrastructure
Senate Committee: Transportation

Date Completed: 9-5-18

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Allow the operator of a vehicle used for snow or ice removal that was equipped with flashing, rotating, or oscillating amber lights to activate them when that vehicle was traveling between locations at which it was being used for snow or ice removal.**
- **Allow a person to operate or move a truck to which a snowplow blade that was wider than 96 inches but no more than 132 inches wide was mounted without obtaining a special permit for an excessively wide vehicle or load.**

The bill would take effect 90 days after it was enacted.

Activation of Flashing, Rotating, or Oscillating Lights

Under the Code, the use or possession of flashing, oscillating, or rotating lights of any color is prohibited except as otherwise provided. The Code lists certain vehicles, such as a vehicle performing public utility service, a vehicle owned or leased by and licensed as a business for use in the collection and hauling of refuse, or an automobile service car or wrecker, that may be equipped with flashing, rotating, or oscillating amber lights. However, the lights may not be activated except when the warning produced by the lights is required for public safety. The bill specifies that these provisions would not prohibit the operator of a vehicle used for snow or ice removal under Section 682c that was equipped with flashing, rotating, or oscillating amber lights from activating the lights when that vehicle was traveling between locations at which it was being used for snow or ice removal.

(Section 682c prohibits a person from operating a commercial snow removal vehicle to remove snow or ice on a public street or highway or in a parking lot accessible for use by the public unless the vehicle is operated with at least one flashing, rotating, or oscillating yellow or amber light that is clearly visible in a 360-degree arc from a distance of 500 feet when in use.

A person who owns or leases a commercial snow removal vehicle may not knowingly allow a person to operate that vehicle in violation of Section 682c. A person who violates Section 682c is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500, or both.)

Snowplow Blade

The bill would allow a person to operate or move a truck to which a snowplow blade that was wider than 96 inches but no more than 132 inches wide was mounted without obtaining a special permit for an excessively wide vehicle or load under Section 725. This would apply only between October 1 and May 1 of each year. A person operating the vehicle would have to minimize the overwidth condition of the snowplow blade when not engaged in snow removal by angling the plow blade or any other method. These provisions would not apply to a person operating construction equipment for snow removal.

(Section 725 allows a jurisdictional authority to issue a written special permit authorizing an applicant to operate upon or remove from a highway maintained by that authority a vehicle or combination of vehicles that are of a size, weight, or load exceeding the maximum specified in Chapter 6 (Size, Weight, and Load) of the Code, or otherwise not in conformity with Chapter 6.)

A person who violated these provisions would be responsible for a civil infraction, and the owner of the vehicle could be charged with a civil infraction.

MCL 257.698 & 257.717

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would not have a fiscal impact upon the State.

The bill could have a minor impact upon local jurisdictions. The bill would exempt local permitting requirements for certain oversize snow plow blades mounted to trucks during the winter months. It is not known which local jurisdictions within the State actually charge a permit fee for oversized snow plows. For those jurisdictions that do charge a fee, any fiscal impact is expected to be minimal because, pursuant to MCL 257.725, any fees a local jurisdiction charges for this equipment may not exceed the administrative costs incurred in issuing the permit.

Fiscal Analyst: Michael Siracuse

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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.