

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 613**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 217, 698, and 725 (MCL 257.217, 257.698, and
257.725), section 217 as amended by 1996 PA 59, section 698 as
amended by 1997 PA 8, and section 725 as amended by 1997 PA 80.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 217. (1) An owner of a vehicle THAT IS subject to reg-
2 istration under this act shall apply to the secretary of state,
3 upon an appropriate form furnished by the secretary of state, for
4 the registration of the vehicle and issuance of a certificate of
5 title for the vehicle. Effective January 1, 1994, a vehicle
6 brought into this state from another state or jurisdiction that
7 has a rebuilt, salvage, scrap, or comparable certificate of title
8 issued by that other state or jurisdiction shall be issued a
9 rebuilt, salvage, or scrap certificate of title by the secretary

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1 of state. The application shall be accompanied by the required
2 fee. An application for a certificate of title shall bear the
3 signature of the owner. ~~written with pen and ink.~~ The applica-
4 tion shall contain all of the following:

5 (a) The OWNER'S name, THE OWNER'S bona fide residence, and
6 EITHER OF THE FOLLOWING:

7 (i) THE OWNER'S mailing address, ~~of the owner or~~ IF THE
8 OWNER IS AN INDIVIDUAL.

9 (ii) THE OWNER'S business address, ~~of~~ IF THE OWNER IS a
10 firm, association, or corporation.

11 (b) A description of the vehicle including the make or name,
12 style of body, and model year; ~~if the vehicle is a motor~~
13 ~~vehicle,~~ the number of miles, not including the tenths of a
14 mile, registered on the vehicle's odometer at the time of trans-
15 fer; whether the vehicle is to be or has been used as a taxi or
16 police vehicle, or by a political subdivision of this state;
17 whether the vehicle has previously been issued a salvage or
18 rebuilt certificate of title from this state or a comparable cer-
19 tificate of title from any other state or jurisdiction; vehicle
20 identification number; and the vehicle's weight fully equipped,
21 if a passenger vehicle registered ~~pursuant to~~ IN ACCORDANCE
22 WITH section 801(1)(a), and, if a trailer coach or pickup camper,
23 in addition to the weight, the manufacturer's serial number, or
24 in the absence of the serial number, a number assigned by the
25 secretary of state. A number assigned by the secretary of state
26 shall be permanently placed on the trailer coach or pickup camper
27 in the manner and place designated by the secretary of state.

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1 (c) A statement of the applicant's title and the names and
2 addresses of the holders of security interests in the vehicle and
3 in an accessory to the vehicle, in the order of their priority.

4 (d) Further information that the secretary of state reason-
5 ably requires to enable the secretary of state to determine
6 whether the vehicle is lawfully entitled to registration and the
7 owner entitled to a certificate of title. If the secretary of
8 state is not satisfied as to the ownership of a late model vehi-
9 cle or other vehicle having a value over \$2,500.00, before regis-
10 tering the vehicle and issuing a certificate of title, the secre-
11 tary of state may require the applicant to file a properly exe-
12 cuted surety bond in a form prescribed by the secretary of state
13 and executed by the applicant and a company authorized to conduct
14 a surety business in this state. The bond shall be in an amount
15 equal to twice the value of the vehicle as determined by the sec-
16 retary of state and shall be conditioned to indemnify or reim-
17 burse the secretary of state, any prior owner, and any subsequent
18 purchaser of the vehicle and their successors in interest against
19 any expense, loss, or damage, including reasonable attorney's
20 fees, by reason of the issuance of a certificate of title ~~to~~
21 FOR the vehicle or on account of any defect in the right, title,
22 or interest of the applicant in the vehicle. An interested
23 person has a right of action to recover on the bond for a breach
24 of the conditions of the bond, but the aggregate liability of the
25 surety to all persons shall not exceed the amount of the bond.
26 The bond shall be returned at the end of 3 years, or before 3
27 years if the vehicle is no longer registered in this state and

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1 the currently valid certificate of title is surrendered to the
2 secretary of state, unless the secretary of state has received
3 notification of the pendency of an action to recover on the
4 bond. If the secretary of state is not satisfied as to the
5 ownership of a vehicle that is VALUED AT \$2,500.00 OR LESS AND
6 THAT IS not a late model vehicle, ~~and whose value does not~~
7 ~~exceed \$2,500.00,~~ the secretary of state shall require the
8 applicant to certify that the applicant is the owner of the vehi-
9 cle and entitled to register and title the vehicle.

10 (e) Except as provided in subdivision (f), an application
11 for a commercial vehicle shall also have attached a scale weight
12 receipt of the motor vehicle fully equipped as of the time the
13 application is made. A scale weight receipt ~~may~~ IS not ~~be~~
14 necessary if there is presented with the application a registra-
15 tion receipt of the previous year that shows on its face the
16 empty weight of the motor vehicle as registered with the secre-
17 tary of state that is accompanied by a statement of the applicant
18 that there has not been structural change in the motor vehicle
19 ~~which~~ THAT has increased the empty weight and that the previous
20 registered weight is the true weight.

21 (f) An application for registration of a vehicle on the
22 basis of elected gross weight shall include a declaration by the
23 applicant specifying the elected gross weight for which applica-
24 tion is being made.

25 (g) If the application is for a certificate of title of a
26 motor vehicle registered ~~pursuant to~~ IN ACCORDANCE WITH section
27 801(1)(q), the application shall include the manufacturer's

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1 suggested base list price for the model year of the vehicle.
2 Annually, the secretary of state shall publish a list of the
3 manufacturer's suggested base list price for each vehicle being
4 manufactured. Once a base list price is published by the secre-
5 tary of state for a model year for a vehicle, the base list price
6 shall not be affected by subsequent increases in the
7 manufacturer's suggested base list price but shall remain the
8 same throughout the model year unless changed in the annual list
9 published by the secretary of state. If the secretary of state's
10 list has not been published for that vehicle by the time of the
11 application for registration, the base list price shall be the
12 manufacturer's suggested retail price as shown on the label
13 required to be affixed to the vehicle under section 3 of the
14 automobile information disclosure act, Public Law 85-506,
15 15 U.S.C. 1232. If the manufacturer's suggested retail price is
16 unavailable, the application shall list the purchase price of the
17 vehicle as defined in section 801(4).

18 (2) BEGINNING OCTOBER 1, 1999, THE SECRETARY OF STATE SHALL
19 REQUIRE AN APPLICANT FOR REGISTRATION OF A LEASED PICKUP TRUCK OR
20 PASSENGER VEHICLE THAT IS SUBJECT TO REGISTRATION UNDER THIS ACT,
21 EXCEPT A VEHICLE THAT IS SUBJECT TO REGISTRATION TAX UNDER SEC-
22 TION 801G, TO DISCLOSE IN WRITING THE LESSEE'S NAME, THE LESSEE'S
23 BONA FIDE RESIDENCE, AND EITHER OF THE FOLLOWING:

24 (A) THE LESSEE'S MICHIGAN DRIVER LICENSE NUMBER OR MICHIGAN
25 PERSONAL IDENTIFICATION NUMBER OR, IF THE LESSEE DOES NOT HAVE A
26 MICHIGAN DRIVER LICENSE OR MICHIGAN PERSONAL IDENTIFICATION

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1 NUMBER, THE LESSEE'S MAILING ADDRESS, IF THE LESSEE IS AN
2 INDIVIDUAL.

3 (B) THE LESSEE'S BUSINESS ADDRESS, IF THE LESSEE IS A FIRM,
4 ASSOCIATION, OR CORPORATION.

5 (3) THE SECRETARY OF STATE SHALL MAINTAIN THE INFORMATION
6 DESCRIBED IN SUBSECTION (2) ON THE SECRETARY OF STATE'S COMPUTER
7 RECORDS.

8 (4) ~~(2)~~ A dealer selling or exchanging vehicles required
9 to be titled, within 15 days after delivering a vehicle to the
10 purchaser, and a person engaged in the sale of vessels required
11 to be numbered by part 801 ~~(marine safety)~~ of the natural
12 resources and environmental protection act, ~~Act No. 451 of the~~
13 ~~Public Acts of 1994, being sections 324.80101 to 324.80199 of the~~
14 ~~Michigan Compiled Laws~~ 1994 PA 451, MCL 324.80101 TO 324.80199,
15 within 15 days after delivering a boat trailer weighing less than
16 2,500 pounds to the purchaser, shall apply to the secretary of
17 state for a new title, if required, and transfer or secure regis-
18 tration plates and secure a certificate of registration for the
19 vehicle or boat trailer, in the name of the purchaser. The
20 dealer's license may be suspended or revoked ~~as provided~~ in
21 ACCORDANCE WITH section 249 for failure to apply for a title when
22 required or for failure to transfer or secure registration plates
23 and certificate of registration within the 15 days required by
24 this section. If the dealer or person fails to apply for a title
25 when required, and to transfer or secure registration plates and
26 secure a certificate of registration and pay the required fees
27 within 15 days of delivery of the vehicle or boat trailer, a

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1 title and registration for the vehicle or boat trailer may
2 subsequently be acquired only upon the payment of a transfer fee
3 of \$15.00 in addition to the fees ~~provided for~~ SPECIFIED in
4 section 806. The purchaser of the vehicle or boat trailer shall
5 sign the application, including, when applicable, the declaration
6 specifying the maximum elected gross weight, as required by sub-
7 section (1)(f), and other necessary papers to enable the dealer
8 or person to secure the title, registration plates, and transfers
9 from the secretary of state.

10 (5) ~~(3)~~ If a vehicle is delivered to a purchaser who has
11 valid Michigan registration plates that are to be transferred to
12 the vehicle, and an application for title, if required, and reg-
13 istration for the vehicle is not made before delivery of the
14 vehicle to the purchaser, the registration plates shall be
15 affixed to the vehicle immediately, and the dealer shall provide
16 the purchaser with an instrument in writing, on a form prescribed
17 by the secretary of state, which shall serve as a temporary reg-
18 istration for the vehicle for a period of 15 days from the date
19 the vehicle is delivered.

20 (6) ~~(4)~~ An application for a certificate of title that
21 indicates the existence of a security interest in the vehicle or
22 in an accessory to the vehicle, if requested by the security
23 interest holder, shall be accompanied by a copy of the security
24 agreement which need not be signed. The request may be made of
25 the seller on an annual basis. The secretary of state shall
26 indicate on the copy the date and place of filing of the
27 application and return the copy to the person submitting the

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1 application who shall forward it to the holder of the security
2 interest named in the application.

3 (7) ~~(5)~~ If the seller does not prepare the credit informa-
4 tion, contract note, and mortgage, and the holder, finance com-
5 pany, credit union, or banking institution requires the install-
6 ment seller to record the lien on the title, the holder, finance
7 company, credit union, or banking institution shall pay the
8 seller a service fee of not more than \$10.00. The service fee
9 shall be paid from the finance charges and shall not be charged
10 to the buyer in addition to the finance charges. The holder,
11 finance company, credit union, or banking institution shall issue
12 its check or bank draft for the principal amount financed, pay-
13 able jointly to the buyer and seller, and there shall be
14 imprinted on the back side of the check or bank draft the
15 following:

16 "Under Michigan law, the seller must record a first lien in
17 favor of (name of lender) _____ on the vehicle with
18 vehicle identification number _____ and title the vehi-
19 cle only in the name(s) shown on the reverse side." On the front
20 of the sales check or draft, the holder, finance company, credit
21 union, or banking institution shall note the name(s) of the pro-
22 spective owner(s). Failure of the holder, finance company,
23 credit union, or banking institution to comply with these
24 requirements frees the seller from any obligation to record the
25 lien or from any liability that may arise as a result of the
26 failure to record the lien. A service fee shall not be charged
27 to the buyer.

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1 (8) ~~(6)~~ In the absence of actual malice proved
2 independently and not inferred from lack of probable cause, a
3 person who in any manner causes a prosecution for larceny of a
4 motor vehicle; for embezzlement of a motor vehicle; for any crime
5 an element of which is the taking of a motor vehicle without
6 authority; or for buying, receiving, possessing, or aiding in the
7 concealment of a stolen, embezzled, or converted motor vehicle
8 knowing THAT the motor vehicle has been stolen, embezzled, or
9 converted, is not liable for damages in a civil action for caus-
10 ing the prosecution. This subsection ~~shall not be construed to~~
11 DOES NOT relieve a person from proving any other element neces-
12 sary to sustain his or her cause of action.

13 Sec. 698. (1) A motor vehicle may be equipped with not more
14 than 2 side cowl or fender lamps which shall emit an amber or
15 white light without glare.

16 (2) A motor vehicle may be equipped with not more than 1
17 running board courtesy lamp on each side which shall emit a white
18 or amber light without glare.

19 (3) Backing lights of red, amber, or white may be mounted on
20 the rear of a motor vehicle if the switch controlling the light
21 is so arranged that the light may be turned on only if the vehi-
22 cle is in reverse gear. The backing lights when unlighted shall
23 be covered or otherwise arranged so as not to reflect objection-
24 able glare in the eyes of a driver of a vehicle approaching from
25 the rear.

26 (4) Unless both covered and unlit, a vehicle driven on the
27 highways of this state shall not be equipped with a lamp or a

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1 part designed to be a reflector unless expressly required or
2 permitted by this chapter or that meets the standards prescribed
3 in 49 C.F.R. 571.108. A lamp or a part designed to be a reflec-
4 tor, if visible from the front, shall display or reflect a white
5 or amber light; if visible from either side, shall display or
6 reflect an amber or red light; and if visible from the rear,
7 shall display or reflect a red light, except as otherwise pro-
8 vided by law.

9 (5) The use or possession of flashing, oscillating, or
10 rotating lights of any color is prohibited except as otherwise
11 provided by law, or under the following circumstances:

12 (a) A police vehicle shall be equipped with flashing, rotat-
13 ing, or oscillating red or blue lights, for use in the per-
14 formance of police duties.

15 (b) A fire vehicle or ambulance available for public use or
16 for use of the United States, the state, or any unit of the
17 state, whether publicly or privately owned, shall be equipped
18 with flashing, rotating, or oscillating red lights and used as
19 required for safety.

20 (c) An authorized emergency vehicle as defined in section 2
21 may be equipped with flashing, rotating, or oscillating red
22 lights for use when responding to an emergency call if when in
23 use the flashing, rotating, or oscillating red lights are mounted
24 on the roof section of the vehicle, either as a permanent instal-
25 lation or by means of suction cups or magnets and are clearly
26 visible in a 360 degree arc from a distance of 500 feet when in
27 use. A person operating lights under this subdivision at any

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1 time other than when responding to an emergency call is guilty of
2 a misdemeanor.

3 (d) Flashing, rotating, or oscillating amber lights, placed
4 in a position as to be visible throughout an arc of 360 degrees,
5 shall be used by a state, county, or municipal vehicle engaged in
6 the removal of ice, snow, or other material from the highway and
7 in other operations designed to control ice and snow.

8 (e) A vehicle used for the cleanup of spills or a necessary
9 emergency response action taken pursuant to state or federal law
10 or a vehicle operated by an employee of the department of natural
11 resources that responds to a spill, emergency response action,
12 complaint, or compliance activity may be equipped with flashing,
13 rotating, or oscillating amber lights. Such lights shall not be
14 activated unless the vehicle is at the scene of a spill, emer-
15 gency response action, complaint, or compliance activity.

16 (f) A vehicle to perform public utility service, a vehicle
17 owned or leased by and licensed as a business for use in the col-
18 lection and hauling of refuse, an automobile service car or
19 wrecker, a vehicle engaged in authorized highway repair or main-
20 tenance, a vehicle of a peace officer, a vehicle operated by a
21 rural letter carrier or a person under contract to deliver news-
22 papers or other publications by motor route, a vehicle utilized
23 for snow removal, a private security guard vehicle as authorized
24 in subsection (7), ~~a hearse or funeral coach,~~ a motor vehicle
25 while engaged in escorting or transporting an oversize load that
26 has been issued a permit by the state transportation department
27 or a local authority with respect to highways under its

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1 jurisdiction, a vehicle owned by the national guard or a United
2 States military vehicle while traveling under the appropriate
3 recognized military authority, a motor vehicle while towing an
4 implement of husbandry, or an implement of husbandry may be
5 equipped with flashing, rotating, or oscillating amber lights.
6 However, a wrecker may be equipped with flashing, rotating, or
7 oscillating red lights which shall be activated only when the
8 wrecker is engaged in removing or assisting a vehicle at the
9 scene of a traffic accident or disablement. The flashing, rotat-
10 ing, or oscillating amber lights shall not be activated except in
11 those circumstances that the warning produced by the lights is
12 required for public safety.

13 (G) A VEHICLE ENGAGED IN LEADING OR ESCORTING A FUNERAL PRO-
14 CESSION OR ANY VEHICLE THAT IS PART OF A FUNERAL PROCESSION MAY
15 BE EQUIPPED WITH FLASHING, ROTATING, OR OSCILLATING PURPLE OR
16 AMBER LIGHTS WHICH SHALL NOT BE ACTIVATED EXCEPT DURING A FUNERAL
17 PROCESSION.

18 (H) ~~(g)~~ An authorized emergency vehicle may display flash-
19 ing, rotating, or oscillating white lights in conjunction with an
20 authorized emergency light as prescribed in this section.

21 (I) ~~(h)~~ A private motor vehicle of a physician responding
22 to an emergency call may be equipped with and the physician may
23 use flashing, rotating, or oscillating red lights mounted on the
24 roof section of the vehicle either as a permanent installation or
25 by means of magnets or suction cups and clearly visible in a 360
26 degree arc from a distance of 500 feet when in use. The

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1 physician shall first obtain written authorization from the
2 county sheriff.

3 (J) A PUBLIC TRANSIT VEHICLE MAY BE EQUIPPED WITH A FLASH-
4 ING, OSCILLATING, OR ROTATING LIGHT MOUNTED ON THE ROOF OF THE
5 VEHICLE APPROXIMATELY 6 FEET FROM THE REAR OF THE VEHICLE WHICH
6 DISPLAYS A WHITE LIGHT TO THE FRONT, SIDE, AND REAR OF THE VEHI-
7 CLE, WHICH LIGHT MAY BE ACTUATED BY THE DRIVER FOR USE ONLY IN
8 INCLEMENT WEATHER SUCH AS FOG, RAIN, OR SNOW, WHEN BOARDING OR
9 DISCHARGING PASSENGERS, FROM 1/2 HOUR BEFORE SUNSET UNTIL 1/2
10 HOUR AFTER SUNRISE, OR WHERE CONDITIONS HINDER THE VISIBILITY OF
11 THE PUBLIC TRANSIT VEHICLE. AS USED IN THIS SUBDIVISION, "PUBLIC
12 TRANSIT VEHICLE" MEANS A MOTOR VEHICLE, OTHER THAN A STATION
13 WAGON OR PASSENGER VAN, WITH A GROSS VEHICLE WEIGHT RATING OF
14 MORE THAN 10,000 POUNDS.

15 (K) ~~(i)~~ A person engaged in the manufacture, sale, or
16 repair of flashing, rotating, or oscillating lights governed by
17 this subsection may possess the lights for the purpose of employ-
18 ment, but shall not activate the lights upon the highway unless
19 authorized to do so under subsection (6).

20 (6) A person shall not sell, loan, or otherwise furnish a
21 flashing, rotating, or oscillating blue or red light designed
22 primarily for installation on an authorized emergency vehicle to
23 a person except a police officer, sheriff, deputy sheriff, autho-
24 rized physician, volunteer or paid fire fighter, volunteer ambu-
25 lance driver, licensed ambulance driver or attendant of the
26 state, a county or municipality within the state, a person
27 engaged in the business of operating an ambulance or wrecker

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1 service, or a federally recognized nonprofit charitable
2 organization which owns and operates an emergency support vehicle
3 used exclusively for emergencies. This subsection does not pro-
4 hibit an authorized vehicle, equipped with flashing, rotating, or
5 oscillating blue or red lights, from being operated by a person
6 other than a person described in this section if the person
7 receives authorization to operate the emergency vehicle from a
8 police officer, sheriff, deputy sheriff, authorized physician,
9 volunteer or paid fire fighter, volunteer ambulance driver,
10 licensed ambulance driver or attendant, a person operating an
11 ambulance or wrecker service, or a federally recognized nonprofit
12 charitable organization which owns and operates an emergency sup-
13 port vehicle used exclusively for emergencies, except that the
14 authorization shall not permit the person to operate lights as
15 described in subsection (5)(a), (b), (c), ~~(g), or (h)~~ (I), OR
16 (J), or to exercise the privileges described in section 603. A
17 person who operates an authorized emergency vehicle in violation
18 of the terms of an authorization is guilty of a misdemeanor.

19 (7) A private motor vehicle of a security guard agency or
20 alarm company licensed pursuant to the private security guard act
21 of 1968, 1968 PA 330, MCL 338.1051 to 338.1085, may display
22 flashing, rotating, or oscillating amber lights. The flashing,
23 rotating, or oscillating amber lights shall not be activated on a
24 public highway when a vehicle is in motion.

25 (8) This section shall not be construed to prohibit,
26 restrict, or limit the use of lights authorized or required under
27 sections 697, 697a, and 698a.

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1 (9) A person who violates subsection (1), (2), (3), or (4)
2 is responsible for a civil infraction.

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

9 (a) Of a size, weight, or load exceeding the maximum speci-
10 fied in this chapter.

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

12 (2) The application for a special permit shall be on a form
13 prescribed by the jurisdictional authority and shall specifically
14 describe the vehicle or vehicles and load to be operated or moved
15 and the particular highways upon which the special permit to
16 operate is requested.

17 (3) A jurisdictional authority may issue a special permit
18 AND CHARGE A FEE THAT DOES NOT EXCEED THE ADMINISTRATIVE COSTS
19 INCURRED authorizing the operation of the following upon a
20 highway:

21 (a) Traction engines or tractors having movable tracks with
22 transverse corrugations upon the periphery of those movable
23 tracks on farm tractors.

24 (b) Other farm machinery otherwise prohibited under this
25 chapter.

26 (C) A VEHICLE OF A SIZE OR WEIGHT OTHERWISE PROHIBITED UNDER
27 THIS CHAPTER THAT IS HAULING FARM MACHINERY TO OR FROM A FARM.

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1 (4) A special permit shall specify the trip or trips and
2 date or dates for which it is valid and the jurisdictional
3 authority granting the special permit may restrict or prescribe
4 conditions of operation of a vehicle or vehicles, if necessary,
5 to protect the safety of the public or to ensure against undue
6 damage to the road foundations, surfaces, structures, or instal-
7 lations, and may require a reasonable inspection fee and other
8 security as that jurisdictional authority determines necessary to
9 compensate for damages caused by the movement. A special permit
10 may be issued on an annual basis. [EXCEPT AS OTHERWISE PROVIDED IN
THIS SECTION, THE FEE CHARGED BY THE STATE TRANSPORTATION DEPARTMENT
FOR AN INTRASTATE OR AN OUT-OF-STATE VEHICLE FOR A SINGLE TRIP SHALL
BE \$50.00 AND FOR MULTIPLE TRIPS OR ON AN ANNUAL BASIS SHALL BE
\$100.00.] ~~The~~ EXCEPT AS OTHERWISE PRO-
11 VIDED IN THIS SECTION, THE fee charged by a jurisdictional
12 authority [OTHER THAN THE STATE TRANSPORTATION DEPARTMENT] for an
intrastate or an out-of-state vehicle for a
13 single trip shall be NOT MORE THAN \$50.00 and for multiple trips
14 or on an annual basis shall be NOT MORE THAN \$100.00. ~~However,~~
15 ~~the fee for a special permit issued by a jurisdictional authority~~
16 ~~under subsection (3) or for a vehicle hauling farm machinery, to~~
17 ~~or from a farm, of a size or weight otherwise prohibited under~~
18 ~~this chapter, shall not exceed the administrative costs incurred~~
19 ~~by the jurisdictional authority in issuing the permit.~~ EFFECTIVE
20 OCTOBER 1, 1998, THE FEE CHARGED BY A JURISDICTIONAL AUTHORITY
21 OTHER THAN THE STATE TRANSPORTATION DEPARTMENT FOR A SPECIAL
22 PERMIT UNDER THIS SUBSECTION SHALL BE THE FEE CHARGED ON
23 SEPTEMBER 30, 1997. THE FEE CHARGED BY A JURISDICTIONAL AUTHOR-
24 ITY OTHER THAN THE STATE TRANSPORTATION DEPARTMENT FOR A SPECIAL
25 PERMIT UNDER THIS SUBSECTION MAY BE INCREASED ABOVE THE AMOUNT
26 CHARGED ON SEPTEMBER 30, 1997 SUBJECT TO THE MAXIMUMS ALLOWED BY
27 THIS SUBSECTION SUBJECT TO A PRIOR PUBLIC HEARING WITH REASONABLE

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1 NOTICE. HOWEVER, THE FEE CHARGED BY A JURISDICTIONAL AUTHORITY
2 OTHER THAN THE STATE TRANSPORTATION DEPARTMENT FOR A SPECIAL
3 PERMIT UNDER THIS SUBSECTION THAT IS MORE THAN \$50.00 FOR A
4 SINGLE TRIP OR THAT IS MORE THAN \$100.00 FOR MULTIPLE TRIPS OR ON
5 AN ANNUAL BASIS, OR BOTH, ON SEPTEMBER 30, 1997 SHALL NOT BE
6 INCREASED.

7 ~~(5) A person may transport telephone, telegraph, or elec-~~
8 ~~tric poles of a greater length than otherwise authorized over the~~
9 ~~highways in the construction, maintenance, or repair of tele-~~
10 ~~phone, telegraph, or electric lines pursuant to a special permit~~
11 ~~issued under this section.~~

12 ~~(6) A person may transport concrete pipe of a greater width~~
13 ~~than otherwise authorized over highways pursuant to a special~~
14 ~~permit issued under this section.~~

15 (6) THE FEE CHARGED BY THE STATE TRANSPORTATION DEPARTMENT
16 FOR AN INTRASTATE OR AN OUT-OF-STATE VEHICLE OR COMBINATION OF
17 VEHICLES THAT EXCEED THE MAXIMUM SIZE SPECIFIED IN THIS CHAPTER
18 BUT DO NOT EXCEED THE MAXIMUM WEIGHT OR LOAD SPECIFIED IN THIS
19 CHAPTER OR ARE OTHERWISE NOT IN CONFORMITY WITH THIS CHAPTER
20 SHALL BE \$15.00 FOR A SINGLE TRIP AND \$30.00 FOR MULTIPLE TRIPS
21 OR ON AN ANNUAL BASIS. THE FEES CHARGED UNDER THIS SUBSECTION
22 MAY BE INCREASED NOT MORE THAN ONCE EACH YEAR BASED ON THE PER-
23 CENTAGE INCREASE IN THE UNITED STATES CONSUMER PRICE INDEX FOR
24 ALL URBAN CONSUMERS FOR THE IMMEDIATELY PRECEDING 12-MONTH PERIOD
25 ROUNDED TO THE NEAREST WHOLE DOLLAR. THIS SUBSECTION TAKES
26 EFFECT OCTOBER 1, 1998.

1 (7) THE FEE CHARGED BY A JURISDICTIONAL AUTHORITY OTHER THAN
2 THE STATE TRANSPORTATION DEPARTMENT FOR AN INTRASTATE OR AN
3 OUT-OF-STATE VEHICLE OR COMBINATION OF VEHICLES OF A SIZE EXCEED-
4 ING THE MAXIMUM SPECIFIED IN THIS CHAPTER BUT NOT EXCEEDING THE
5 MAXIMUM WEIGHT OR LOAD SPECIFIED IN THIS CHAPTER SHALL NOT EXCEED
6 THE ADMINISTRATIVE COSTS INCURRED BY THAT JURISDICTIONAL AUTHOR-
7 ITY IN ISSUING THE PERMIT. THIS SUBSECTION TAKES EFFECT OCTOBER
8 1, 1998.

9 (8) ~~-(7)-~~ A special permit issued under this section shall
10 be carried in the vehicle or combination of vehicles to which it
11 refers and shall be open to inspection by a police officer or
12 authorized agent of ~~an~~ A JURISDICTIONAL authority granting the
13 special permit. A person shall not violate any of the terms or
14 conditions of the special permit.

15 (9) ~~-(8)-~~ A person who violates this section is responsible
16 for a civil infraction.

17 (10) ~~-(9)-~~ A jurisdictional authority issuing a special
18 permit to move a mobile home under this section and a person who
19 is issued a special permit to move a mobile home under this sec-
20 tion are subject to section 719a.

21 (11) ~~-(10)-~~ As used in this section, "jurisdictional
22 authority" means the state transportation department, a county
23 road commission, or a local authority having jurisdiction over a
24 highway upon which a vehicle is proposed to be moved pursuant to
25 a permit required under this section.