

SUBSTITUTE FOR
SENATE BILL NO. 613

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 217 and 222 (MCL 257.217 and 257.222), section 217 as amended by 1996 PA 59 and section 222 as amended by 1993 PA 300.

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 application
4 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 vehicle,
13 the number of miles, not including the tenths of a mile, regis-
14 tered on the vehicle's odometer at the time of transfer; whether
15 the vehicle is to be or has been used as a taxi or police vehi-
16 cle, or by a political subdivision of this state; whether the
17 vehicle has previously been issued a salvage or rebuilt certifi-
18 cate of title from this state or a comparable certificate of
19 title from any other state or jurisdiction; vehicle identifica-
20 tion number; and the vehicle's weight fully equipped, if a pas-
21 senger vehicle registered ~~pursuant to~~ IN ACCORDANCE WITH sec-
22 tion 801(1)(a), and, if a trailer coach or pickup camper, in
23 addition to the weight, the manufacturer's serial number, or in
24 the absence of the serial number, a number assigned by the secre-
25 tary of state. A number assigned by the secretary of state shall
26 be permanently placed on the trailer coach or pickup camper in
27 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 not a late model vehicle ~~and~~
6 ~~whose value does not exceed~~ VALUED AT \$2,500.00 OR LESS, the
7 secretary of state shall require the applicant to certify that
8 the applicant is the owner of the vehicle and entitled to regis-
9 ter 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) SUBJECT TO SUBSECTION (4), BEGINNING OCTOBER 1, 1999,
19 THE SECRETARY OF STATE SHALL REQUIRE AN APPLICANT FOR REGISTRA-
20 TION OF A LEASED VEHICLE THAT IS SUBJECT TO REGISTRATION UNDER
21 THIS ACT TO DISCLOSE IN WRITING THE DATE THE LEASE BEGINS AND
22 TERMINATES, THE LESSEE'S NAME, THE LESSEE'S BONA FIDE RESIDENCE,
23 AND EITHER OF THE FOLLOWING:

24 (A) THE LESSEE'S MAILING ADDRESS, IF THE LESSEE IS AN
25 INDIVIDUAL.

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

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1 (3) SUBJECT TO SUBSECTION (4), THE SECRETARY OF STATE SHALL
2 MAINTAIN THE INFORMATION DESCRIBED IN SUBSECTION (2) ON THE SEC-
3 RETARY OF STATE'S COMPUTER RECORDS.

4 (4) SUBSECTIONS (2) AND (3) DO NOT APPLY IN ANY YEAR FOR
5 WHICH THE STATE LEGISLATURE FAILS TO APPROPRIATE FUNDS FOR THE
6 SECRETARY OF STATE'S IMPLEMENTATION ██████████ OF COMPUTER
7 RECORDS RELATING TO LEASED VEHICLES.

8 (5) ~~(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 (6) ~~(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 (7) ~~(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 (8) ~~(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 (9) ~~(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 (10) THE OWNER OF A LEASED VEHICLE SHALL NOTIFY THE SECRE-
14 TARY OF STATE IN WRITING OF ANY CHANGE IN THE INFORMATION
15 REQUIRED UNDER SUBSECTION (2) WITHIN 30 DAYS AFTER THAT CHANGE.

16 Sec. 222. (1) Except as otherwise provided in this act, the
17 secretary of state shall issue a registration certificate and a
18 certificate of title when registering a vehicle and upon receipt
19 of the required fees. A vehicle brought into this state from
20 another state or jurisdiction that has a rebuilt, salvage, or
21 scrap certificate of title issued by that other state or juris-
22 diction shall be issued a rebuilt, salvage, or scrap certificate
23 of title by the secretary of state.

24 (2) The registration certificate shall be delivered to the
25 owner and shall contain on its face the date issued, the name and
26 address of the owner, the registration number assigned to the

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1 vehicle, and a description of the vehicle as determined by the
2 secretary of state.

3 (3) The certificate of title shall be manufactured in a
4 manner to prohibit as nearly as possible the ability to repro-
5 duce, alter, counterfeit, forge, or duplicate the certificate of
6 title without ready detection and contain on its face the identi-
7 cal information required on the face of the registration certifi-
8 cate; if the vehicle is a motor vehicle, the number of miles, not
9 including the tenths of a mile, registered on the vehicle's odom-
10 eter at the time of transfer; except for a vehicle owned by a
11 dealer and loaned to a political subdivision of this state for
12 use as a driver education vehicle, if the vehicle is to be used
13 or has been used as a taxi, as a police vehicle, or by a politi-
14 cal subdivision of this state; whether the vehicle is a salvage
15 vehicle; if the vehicle has previously been issued a rebuilt cer-
16 tificate of title from this state or a comparable certificate of
17 title from any other state or jurisdiction; if the vehicle has
18 been issued a scrap certificate of title from this state or a
19 comparable certificate of title from any other state or jurisdic-
20 tion; a statement of the owner's title and of all security inter-
21 ests in the vehicle or in an accessory on the vehicle as set
22 forth in the application; the date that the application was
23 filed; and any other information that the secretary of state may
24 require.

25 (4) The certificate of title shall contain, upon the reverse
26 side, a form for assignment of title or interest and warranty of
27 title by the owner with space for the notation of a security

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1 interest in the vehicle and in an accessory on the vehicle, that
2 at the time of a transfer shall be certified and signed, and
3 space for a written odometer mileage statement that is required
4 upon transfer ~~pursuant to~~ UNDER section 233a. The reverse side
5 of the certificate of title may also contain other forms that the
6 secretary of state considers necessary to facilitate the effec-
7 tive administration of this act. The certificate shall bear the
8 coat of arms of this state.

9 (5) The certificate of title shall be mailed or delivered to
10 the owner or other person the owner may direct in a separate
11 instrument, in a form the secretary of state shall prescribe.

12 (6) A person who intentionally reproduces, alters, counter-
13 feits, forges, or duplicates a certificate of title or who uses a
14 reproduced, altered, counterfeited, forged, or duplicated certif-
15 icate of title shall be punished as follows:

16 (a) If the intent of reproduction, alteration, counterfeit-
17 ing, forging, duplication, or use was to commit or aid in the
18 commission of an offense punishable by imprisonment for 1 or more
19 years, the person committing the reproduction, alteration, coun-
20 terfeiting, forging, duplication, or use is guilty of a misde-
21 meanor, punishable by imprisonment for a period equal to that
22 which could be imposed for the commission of the offense the
23 person had the intent to aid or commit. The court may also
24 assess a fine of not more than \$10,000.00 against the person.

25 (b) If the intent of the reproduction, alteration, counter-
26 feiting, forging, duplication, or use was to commit or aid in the
27 commission of an offense punishable by imprisonment for not more

1 than 1 year, the person committing the reproduction, alteration,
2 counterfeiting, forging, duplication, or use is guilty of a mis-
3 demeanor, punishable by imprisonment for not more than 1 year, or
4 a fine of not more than \$1,000.00, or both.

5 (7) The certificate of title for a police vehicle, a vehicle
6 owned by a political subdivision of this state, a salvage vehi-
7 cle, a rebuilt vehicle, and a scrap vehicle shall be different in
8 color from the certificate of title for all other vehicles.

9 (8) A scrap certificate of title shall contain a legend that
10 the vehicle is not to be titled or registered and is to be used
11 for parts or scrap metal only.

12 (9) A certificate of title shall not be issued for a vehicle
13 ~~which~~ THAT has had a salvage certificate of title unless the
14 certificate of title contains a legend ~~which~~ THAT would dis-
15 close the vehicle's former condition to consumers and potential
16 purchasers.

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

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

(3) Backing lights of red, amber, or white may be mounted on the rear of a motor vehicle if the switch controlling the light is so arranged that the light may be turned on only if the vehicle is in reverse gear. The backing lights when unlighted shall be covered or otherwise arranged so as not to reflect objectionable glare in the eyes of a driver of a vehicle approaching from the rear.

(4) Unless both covered and unlit, a vehicle driven on the highways of this state shall not be equipped with a lamp or a part designed to be a reflector unless expressly required or permitted by this chapter or that meets the standards prescribed in 49 C.F.R. 571.108. A lamp or a part designed to be a reflector, if visible from the front, shall display or reflect a white or amber light; if visible from either side, shall display or reflect an amber or red light; and if visible from the rear, shall display or reflect a red light, except as otherwise provided by law.

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

(a) A police vehicle shall be equipped with flashing, rotating, or oscillating red or blue lights, for use in the performance of police duties.

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

(c) An authorized emergency vehicle as defined in section 2 may be equipped with flashing, rotating, or oscillating red lights for use when responding to an emergency call if when in use the flashing, rotating, or oscillating red lights are mounted on the roof section of the vehicle, either as a permanent installation or by means of suction cups or magnets and are clearly visible in a 360 degree arc from a distance of 500 feet when in use. A person operating lights under this subdivision at any time other than when responding to an emergency call is guilty of a misdemeanor.

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

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

(f) A vehicle to perform public utility service, a vehicle owned or leased by and licensed as a business for use in the collection and hauling of refuse, an automobile service car or wrecker, a vehicle engaged in authorized highway repair or maintenance, a vehicle of a peace officer, a vehicle operated by a rural letter carrier or a person under contract to deliver newspapers or other publications by motor route, a vehicle utilized for snow removal, a private security guard vehicle as authorized in subsection (7), ~~a hearse or funeral coach,~~ a motor vehicle while engaged in escorting or transporting an oversize load that has been issued a permit by the state transportation department or a local authority with respect to highways under its jurisdiction, a vehicle owned by the national guard or a United States military vehicle while traveling under the appropriate recognized military authority, a motor vehicle while towing an implement of husbandry, or an implement of husbandry may be equipped with flashing, rotating, or oscillating amber lights. However, a wrecker may be equipped with flashing, rotating, or oscillating red lights which shall be activated only when the wrecker is engaged in removing or assisting a vehicle at the scene of a traffic accident or disablement. The flashing, rotating, or oscillating amber lights shall not be activated except in those circumstances that the warning produced by the lights is required for public safety.

(g) An authorized emergency vehicle may display flashing, rotating, or oscillating white lights in conjunction with an authorized emergency light as prescribed in this section.

(h) A private motor vehicle of a physician responding to an emergency call may be equipped with and the physician may use flashing, rotating, or oscillating red lights mounted on the roof section of the vehicle either as a permanent installation or by means of magnets or suction cups and clearly visible in a 360 degree arc from a distance of 500 feet when in use. The physician shall first obtain written authorization from the county sheriff.

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

(J) ~~(i)~~ A person engaged in the manufacture, sale, or repair of flashing, rotating, or oscillating lights governed by this subsection may possess the lights for the purpose of employment, but shall not activate the lights upon the highway unless authorized to do so under subsection (6).

(6) A person shall not sell, loan, or otherwise furnish a flashing, rotating, or oscillating blue or red light designed primarily for installation on an authorized emergency vehicle to a person except a police officer, sheriff, deputy sheriff, authorized physician, volunteer or paid fire fighter, volunteer ambulance driver, licensed ambulance driver or attendant of the state, a county or municipality within the state, a person engaged in the business of operating an ambulance or wrecker service, or a federally recognized nonprofit charitable organization which owns and operates an emergency support vehicle used exclusively for emergencies. This subsection does not prohibit an authorized vehicle, equipped with flashing, rotating, or oscillating blue or red lights, from being operated by a person other than a person described in this section if the person receives authorization to operate the emergency vehicle from a police officer, sheriff, deputy sheriff, authorized physician, volunteer or paid fire fighter, volunteer ambulance driver, licensed ambulance driver or attendant, a person operating an ambulance or wrecker service, or a federally recognized nonprofit charitable organization which owns and operates an emergency support vehicle used exclusively for emergencies, except that the authorization shall not permit the person to operate lights as described in subsection (5)(a), (b), (c), ~~(g)~~, or (h), OR (I), or to exercise the privileges described in section 603. A person who operates an authorized emergency vehicle in violation of the terms of an authorization is guilty of a misdemeanor.

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

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

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

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

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

(b) Otherwise not in conformity with this chapter.

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

(3) A jurisdictional authority may issue a special permit authorizing the operation of the following upon a highway:

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

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

(4) A special permit shall specify the trip or trips and date or dates for which it is valid and the jurisdictional authority granting the special permit may restrict or prescribe conditions of operation of a vehicle or vehicles, if necessary, to protect the safety of the public or to ensure against undue damage to the road foundations, surfaces, structures, or installations, and may require a reasonable inspection fee and other security as that

jurisdictional authority determines necessary to compensate for damages caused by the movement. A special permit may be issued on an annual basis. ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE fee charged by a jurisdictional authority 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. However, the fee for a special permit issued by a jurisdictional authority under subsection (3) or for a vehicle hauling farm machinery, to or from a farm, of a size or weight otherwise prohibited under this chapter, shall not exceed the administrative costs incurred by the jurisdictional authority in issuing the permit.

(5) THE FEE CHARGED BY THE STATE TRANSPORTATION DEPARTMENT FOR AN INTRASTATE OR AN OUT-OF-STATE VEHICLE OR COMBINATION OF VEHICLES THAT EXCEED THE MAXIMUM SIZE SPECIFIED IN THIS CHAPTER BUT DO NOT EXCEED THE MAXIMUM WEIGHT OR LOAD SPECIFIED IN THIS CHAPTER OR ARE OTHERWISE NOT IN CONFORMITY WITH THIS CHAPTER SHALL BE \$15.00 FOR A SINGLE TRIP AND \$30.00 FOR MULTIPLE TRIPS OR ON AN ANNUAL BASIS. THE FEES CHARGED UNDER THIS SUBSECTION MAY BE INCREASED NOT MORE THAN ONCE EACH YEAR BASED ON THE PERCENTAGE INCREASE IN THE UNITED STATES CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE IMMEDIATELY PRECEDING 12-MONTH PERIOD ROUNDED TO THE NEAREST WHOLE DOLLAR.

(6) THE FEE CHARGED BY A JURISDICTIONAL AUTHORITY OTHER THAN THE STATE TRANSPORTATION DEPARTMENT FOR AN INTRASTATE OR AN OUT-OF-STATE VEHICLE OR COMBINATION OF VEHICLES OF A SIZE EXCEEDING THE MAXIMUM SPECIFIED IN THIS CHAPTER SHALL NOT EXCEED THE AMOUNT OF THE FEE CHARGED BY THAT JURISDICTIONAL AUTHORITY AS OF SEPTEMBER 30, 1997. ANY INCREASE TO THE FEE MUST BE SUBJECT TO A PRIOR PUBLIC HEARING WITH REASONABLE NOTICE HELD BY THE JURISDICTIONAL AUTHORITY PROPOSING THE INCREASE.

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

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

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

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

(11) ~~-(9)-~~ A jurisdictional authority issuing a special permit to move a mobile home under this section and a person who is issued a special permit to move a mobile home under this section are subject to section 719a.

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