

HOUSE BILL NO. 5251

November 13, 2019, Introduced by Reps. Maddock, Eisen, Berman, Markkanen, Meerman, Bellino and O'Malley and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 717, 719a, and 725 (MCL 257.717, 257.719a, and 257.725), section 717 as amended by 2018 PA 342, section 719a as amended by 2009 PA 32, and section 725 as amended by 2018 PA 17.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 717. (1) The total outside width of a vehicle or the load
2 on a vehicle ~~shall~~**must** not exceed 96 inches, except as otherwise
3 provided in this section.

4 (2) A person may operate or move an implement of husbandry of



1 any width on a highway as required, designed, and intended for
 2 farming operations, including the movement of implements of
 3 husbandry being driven or towed and not hauled on a trailer,
 4 without obtaining a special permit for an excessively wide vehicle
 5 or load under section 725. The operation or movement of the
 6 implement of husbandry ~~shall~~**must** be in a manner so as to minimize
 7 the interruption of traffic flow. A person shall not operate or
 8 move an implement of husbandry to the left of the center of the
 9 roadway from a half hour after sunset to a half hour before
 10 sunrise, under the conditions specified in section 639, or at any
 11 time visibility is substantially diminished due to weather
 12 conditions. A person operating or moving an implement of husbandry
 13 shall follow all traffic regulations.

14 (3) The total outside width of the load of a vehicle hauling
 15 concrete pipe, ferrous pipe, agricultural products, or unprocessed
 16 logs, pulpwood, or wood bolts ~~shall~~**must** not exceed 108 inches.

17 (4) Except as provided in subsections (2) and (5) and this
 18 subsection, if a vehicle that is equipped with pneumatic tires is
 19 operated on a highway, the maximum width from the outside of 1
 20 wheel and tire to the outside of the opposite wheel and tire ~~shall~~
 21 **must** not exceed 102 inches, and the outside width of the body of
 22 the vehicle or the load on the vehicle ~~shall~~**must** not exceed 96
 23 inches. However, a truck and trailer or a tractor and semitrailer
 24 combination hauling pulpwood or unprocessed logs may be operated
 25 with a maximum width ~~of~~ not to exceed 108 inches in accordance with
 26 a special permit issued under section 725.

27 (5) The total outside body width of a school bus, a bus, a
 28 trailer coach, a trailer, a semitrailer, a truck camper, or a motor
 29 home ~~shall~~**must** not exceed 102 inches. However, an appurtenance of



1 a school bus, a trailer coach, a truck camper, or a motor home that
 2 extends not more than 6 inches beyond the total outside body width
 3 does not violate this section.

4 (6) A vehicle ~~shall~~**must** not extend beyond the center line of
 5 a state trunk line highway except when authorized by law. Except as
 6 provided in subsection (2), if the width of the vehicle makes it
 7 impossible to stay away from the center line, a permit ~~shall~~**must**
 8 be obtained under section 725.

9 (7) The director of the state transportation department, a
 10 county road commission, or a local authority may designate a
 11 highway under the agency's jurisdiction as a highway on which a
 12 person may operate a vehicle or vehicle combination that is not
 13 more than 102 inches in width, including load, the operation of
 14 which would otherwise be prohibited by this section. ~~The~~**Subject to**
 15 **section 725(13), the** agency making the designation may require that
 16 the owner or lessee of the vehicle or of each vehicle in the
 17 vehicle combination secure a permit before operating the vehicle or
 18 vehicle combination. This subsection does not restrict the issuance
 19 of a special permit under section 725 for the operation of a
 20 vehicle or vehicle combination. This subsection does not permit the
 21 operation of a vehicle or vehicle combination described in section
 22 722a carrying a load described in that section if the operation
 23 would otherwise result in a violation of that section.

24 (8) ~~The~~**Subject to section 725(13), the** director of the state
 25 transportation department, a county road commission, or a local
 26 authority may issue a special permit under section 725 to a person
 27 operating a vehicle or vehicle combination if all of the following
 28 are met:

29 (a) The vehicle or vehicle combination, including load, is not



1 more than 106 inches in width.

2 (b) The vehicle or vehicle combination is used solely to move
3 new motor vehicles or parts or components of new motor vehicles
4 between facilities that meet all of the following:

5 (i) New motor vehicles or parts or components of new motor
6 vehicles are manufactured or assembled in the facilities.

7 (ii) The facilities are located within 10 miles of each other.

8 (iii) The facilities are located within the city limits of the
9 same city and the city is located in a county that has a population
10 of more than 400,000 and less than 500,000 according to the most
11 recent federal decennial census.

12 (c) The special permit and any renewals are each issued for a
13 term of 1 year or less.

14 (9) A person may move or operate a boat lift of any width or
15 an oversized hydraulic boat trailer owned and operated by a marina
16 or watercraft dealer in a commercial boat storage operation on a
17 highway under a multiple trip permit issued on an annual basis as
18 specified under section 725. The operation or movement of the boat
19 lift or trailer ~~shall~~**must** minimize the interruption of traffic
20 flow. It ~~shall~~**must** be used exclusively to transport a boat between
21 a place of storage and a marina or in and around a marina. A boat
22 lift or oversized hydraulic boat trailer may be operated, drawn, or
23 towed on a street or highway only when transporting a vessel
24 between a body of water and a place of storage or when traveling
25 empty to or from transporting a vessel. A boat lift ~~shall~~**must** not
26 be operated on limited access highways. A person moving or
27 operating a boat lift or oversized hydraulic boat trailer shall
28 follow all traffic regulations and shall ensure the route selected
29 has adequate power and utility wire height clearance.



1 (10) A person may operate or move a truck to which a snowplow
 2 blade that is wider than 96 inches but no more than 132 inches wide
 3 is mounted without obtaining a special permit for an excessively
 4 wide vehicle or load under section 725. This subsection only
 5 applies between October 1 and May 1 of each year. A person
 6 operating a truck described in this subsection shall minimize the
 7 overwidth condition of the snowplow blade when not engaged in snow
 8 removal by angling the plow blade or any other method. This
 9 subsection does not apply to a person operating construction
 10 equipment for snow removal.

11 (11) A person who violates this section is responsible for a
 12 civil infraction. The owner of the vehicle may be charged with a
 13 violation of this section.

14 Sec. 719a. (1) Notwithstanding any other provisions of this
 15 act, a person shall not operate a towing vehicle to which a mobile
 16 home or park model trailer is attached on a street or highway if
 17 that mobile home or park model trailer is more than 45 feet in
 18 length or more than 60 feet in length when combined with the towing
 19 vehicle, is more than 12-1/2 feet in height, and has an actual body
 20 width of more than 102 inches at base rail, unless that person
 21 possesses either of the following:

22 (a) A permit issued by ~~the~~**a** jurisdictional authority under
 23 this section.

24 (b) A special permit issued by ~~the~~**a** jurisdictional authority
 25 under section 725.

26 (2) ~~A~~**Subject to subsection (12), a** jurisdictional authority
 27 may issue to a mobile home or park model trailer transport company,
 28 a mobile home or park model trailer manufacturer, or a mobile home
 29 or park model trailer dealer an annual permit to move on a street



1 or highway, in the ordinary course of that company's,
2 manufacturer's, or dealer's business, a mobile home or park model
3 trailer that conforms to each of the following:

4 (a) The mobile home or park model trailer is not more than 12
5 feet wide.

6 (b) The actual body length of the mobile home or park model
7 trailer is not more than 80 feet and the combined length of the
8 mobile home or park model trailer and towing vehicle is not more
9 than 105 feet or the total length of a combination of mobile homes
10 or park model trailers is not more than 80 feet and the total
11 length of a combination of mobile homes or park model trailers and
12 towing vehicle is not more than 105 feet.

13 (3) ~~A-Subject to section 725(13),~~ a jurisdictional authority
14 under section 725 may issue a special permit for the movement of a
15 mobile home or park model trailer on a street or highway within its
16 jurisdiction if the width of that mobile home or park model trailer
17 conforms to both of the following:

18 (a) The mobile home or park model trailer is not more than 16
19 feet wide plus normal appurtenances or eaves that extend not more
20 than 6 inches from any side of the mobile home or park model
21 trailer.

22 (b) The length of the mobile home or park model trailer
23 complies with subsection (2)(b).

24 (4) A person operating a towing vehicle under subsection (3)
25 shall transport a mobile home or park model trailer only on the
26 lane farthest to the right of that person. A person shall not move
27 a mobile home or park model trailer that is 14 or more feet in
28 width including an eave of 2 feet when the wind velocity exceeds 25
29 miles per hour.



1 (5) A jurisdictional authority shall not issue a permit
2 described in subsection (2) or (3) for the transport of a mobile
3 home or park model trailer on a Saturday, Sunday, legal holiday,
4 from the noon before until the noon after a holiday, or during the
5 hours between sunset and sunrise.

6 (6) A jurisdictional authority shall provide and a person
7 operating a towing vehicle shall comply with all of the following
8 in a permit issued under this section:

9 (a) The date, day, and time period during which a mobile home
10 or park model trailer subject to the permit may be moved on a
11 highway.

12 (b) Notice that the permit is conditioned upon its holder's
13 compliance with the permit's terms and with the law.

14 (c) Notice that the operator of a towing vehicle transporting
15 the mobile home or park model trailer shall operate the towing
16 vehicle on a highway as follows:

17 (i) At a safe speed and in a safe manner that will not impede
18 motor traffic.

19 (ii) Only when the surface condition of the highway is not
20 slippery.

21 (iii) In compliance with seasonal load restrictions.

22 (d) For a mobile home or park model trailer and towing vehicle
23 that, when combined, are more than 80 feet in length or more than
24 12 feet wide, all of the following:

25 (i) Notice that the mobile home or park model trailer ~~shall~~
26 **must** be equipped with 2 flashing amber lights on the rear of the
27 mobile home or park model trailer and 1 flashing amber light on the
28 top of the towing vehicle.

29 (ii) Notice that the mobile home or park model trailer ~~shall~~



1 **must** be equipped with stop lights and directional lights on the
2 rear of the mobile home or park model trailer.

3 (iii) Notice that signs with the words "oversize load" ~~shall~~
4 **must** be displayed on the front bumper of the towing vehicle and the
5 back of the mobile home or park model trailer or, in the case of
6 mobile homes or park model trailers that are 16 feet wide, notice
7 that signs with the words "16-ft wide load" ~~shall~~**must** be displayed
8 on the front bumper of the towing vehicle and the back of the
9 mobile home or park model trailer.

10 (iv) Notice that the signs identified in subparagraph (iii) ~~shall~~
11 **must** be of durable material, in good condition, with black
12 lettering on interstate yellow background, and that each letter
13 ~~shall~~**must** be of block lettering not less than 12 inches high at
14 the front and not less than 16 inches high at the rear of the unit.

15 (v) Notice that a vehicle escort is required on those roads
16 where the state police consider escort vehicles necessary for
17 highway safety.

18 (7) Signs and other special identification for escort vehicles
19 ~~shall~~**must** conform to state transportation department requirements
20 for all escort vehicles for oversized loads.

21 (8) For a mobile home or park model trailer being moved
22 pursuant to this section or section 725, the distance between
23 mobile home or park model trailer axle centers ~~shall~~**must** not be
24 less than 34 inches. The axles and tires ~~shall~~**must** meet standards
25 established by the state transportation department.

26 (9) This section does not grant or give authority to the state
27 transportation department that did not exist on May 1, 1982, in
28 accordance with 23 USC 127.

29 (10) A person that violates this section is responsible for a



1 civil infraction and may be assessed a civil fine of not more than
2 \$500.00. The owner of the towing vehicle may be charged with a
3 violation of this section.

4 (11) The state transportation commission may order the state
5 transportation department to immediately cease issuing all special
6 permits to move on the highways of the lower peninsula of this
7 state a mobile home or park model trailer that is more than 14-1/3
8 feet wide plus normal appurtenances that extend no more than 6
9 inches, and an eave that extends no more than 2 feet from the width
10 of that mobile home or park model trailer if the state
11 transportation commission makes a determination that those permits
12 create an unreasonable safety hazard or hazards. The state
13 transportation commission shall notify all other jurisdictional
14 authorities of a determination made under this subsection. The
15 order ~~shall~~**must** not prohibit the issuance of a special permit for
16 the movement of a mobile home or park model trailer if a binding
17 contract for the movement of that mobile home or park model trailer
18 was executed before the commission determination of an unreasonable
19 safety hazard or hazards.

20 (12) **If the travel for which a mobile home or park model**
21 **trailer transport company, a mobile home or park model trailer**
22 **manufacturer, or a mobile home or park model trailer dealer**
23 **requires a permit under this section includes highways under the**
24 **jurisdiction of more than 1 jurisdictional authority, the state**
25 **transportation department may issue a permit that covers all of the**
26 **highways, including highways that are not under the jurisdiction of**
27 **the state transportation department. A jurisdictional authority**
28 **other than the state transportation department shall not require a**
29 **separate permit for travel that is covered by a permit issued by**



1 the state transportation department.

2 (13) If the state transportation department issues a permit
3 described in subsection (12), in addition to collecting the fee
4 charged by the state transportation department for the type of
5 permit issued, the state transportation department shall collect
6 the fee charged for that type of permit by each jurisdictional
7 authority whose highways are covered by the permit. A
8 jurisdictional authority other than the state transportation
9 department shall notify the state transportation department of the
10 fees it charges for permits under this section and of any increases
11 in such fees. The state transportation department is not liable for
12 the failure to collect fees or increases in fees of which it has
13 not received notice. Money received and collected by the state
14 transportation department under this section for a fee charged by a
15 jurisdictional authority other than the state transportation
16 department is not state funds, must not be credited to the state
17 treasury, and must be transmitted to the jurisdictional authority
18 for whom the money was collected. In addition to the fee charged by
19 the state transportation department for a permit under this
20 section, the state transportation department may charge an
21 additional amount not to exceed the additional administrative costs
22 incurred in issuing a permit described in subsection (12).

23 (14) An application and payment to the state transportation
24 department for a permit under this section must be made
25 electronically. The state transportation department shall maintain
26 a website for this purpose. The state transportation department may
27 charge a payment processing fee.

28 (15) The state transportation department shall not deny an
29 application for an immaterial defect. If an applicant submits the



1 required application and fee, the state transportation department
 2 must notify the applicant in writing of any material defects in the
 3 application within 2 business days after the date of receipt of an
 4 application for a single trip or within 5 business days after the
 5 date of receipt of an application for multiple trips or annual
 6 travel. If the state transportation department fails to either
 7 provide notice of a material defect or issue a permit under this
 8 section within 2 business days after the date of receipt of an
 9 application for a single trip or within 5 business days after the
 10 date of receipt of an application for multiple trips or annual
 11 travel, the application is deemed approved and the permit is deemed
 12 issued.

13 (16) ~~(12)~~—As used in this section:

14 (a) "Business day" means a day other than a Saturday, Sunday,
 15 or legal holiday.

16 (b) "Date of receipt" means the date the payment of the fee is
 17 processed and the application is submitted. If these events occur
 18 on different dates, the date of receipt is the later of the 2
 19 dates.

20 (c) ~~(a)~~—"Jurisdictional authority" means the state
 21 transportation department, a county road commission, or a local
 22 authority that has jurisdiction over a street or highway on which a
 23 mobile home is proposed to be moved.

24 (d) ~~(b)~~—"Mobile home" means any of the following:

25 (i) A prebuilt housing module.

26 (ii) That term as defined in section 2 of the mobile home
 27 commission act, 1987 PA 96, MCL 125.2302.

28 (iii) A section of a mobile home as that term is defined in
 29 subparagraph (ii).



1 Sec. 725. (1) ~~Upon~~ **Subject to subsection (13), upon** receipt of
 2 a written application and good cause being shown, a jurisdictional
 3 authority may issue a written special permit authorizing an
 4 applicant to operate upon or remove from a highway maintained by
 5 that jurisdictional authority a vehicle or combination of vehicles
 6 that are any of the following:

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

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

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

15 (3) ~~A~~ **Subject to subsections (13) and (14), a** jurisdictional
 16 authority may issue a special permit and charge a fee that does not
 17 exceed the administrative costs incurred authorizing the operation
 18 of the following upon a highway:

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

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

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

26 (4) A special permit ~~shall~~ **must** specify the trip or trips and
 27 date or dates for which it is valid and the jurisdictional
 28 authority granting the special permit may restrict or prescribe
 29 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~~**must**
 9 be \$50.00 and for multiple trips or on an annual basis ~~shall~~**must**
 10 be \$100.00. Except as otherwise provided in this section, the fee
 11 charged by the state transportation department for an intrastate or
 12 an out-of-state vehicle for a permit issued under subsection (11)
 13 ~~shall~~**must** be \$264.00. Except as otherwise provided in this
 14 section, the fee charged by a jurisdictional authority other than
 15 the state transportation department for an intrastate or an out-of-
 16 state vehicle for a single trip ~~shall~~**must** be not more than \$50.00
 17 and for multiple trips or on an annual basis ~~shall~~**must** be not more
 18 than \$100.00. Effective October 1, 1998, the fee charged by a
 19 jurisdictional authority other than the state transportation
 20 department for a special permit under this subsection ~~shall~~**must** be
 21 the fee charged on September 30, 1997. The fee charged by a
 22 jurisdictional authority other than the state transportation
 23 department for a special permit under this subsection may be
 24 increased above the amount charged on September 30, 1997 subject to
 25 the maximums allowed by this subsection subject to a prior public
 26 hearing with reasonable notice. However, the fee charged by a
 27 jurisdictional authority other than the state transportation
 28 department for a special permit under this subsection that is more
 29 than \$50.00 for a single trip or that is more than \$100.00 for



1 multiple trips or on an annual basis, or both, on September 30,
 2 1997 ~~shall~~**must** not be increased.

3 (5) ~~The~~**Except as otherwise provided in subsection (14), the**
 4 fee charged by the state transportation department for an
 5 intrastate or an out-of-state vehicle or combination of vehicles
 6 that exceed the maximum size specified in this chapter but do not
 7 exceed the maximum weight or load specified in this chapter or are
 8 otherwise not in conformity with this chapter ~~shall~~**must** be \$15.00
 9 for a single trip and \$30.00 for multiple trips or on an annual
 10 basis. ~~The~~**Except as otherwise provided in subsection (14), the** fee
 11 charged by the state transportation department for an intrastate or
 12 out-of-state vehicle or combination of vehicles that exceed the
 13 maximum size specified in this chapter but do not exceed the
 14 maximum weight or load specified in this chapter or are otherwise
 15 not in conformity with this chapter for a permit issued under
 16 subsection (11) ~~shall~~**must** be \$264.00. The fees charged under this
 17 subsection may be increased not more than once each year based on
 18 the percentage increase in the United States ~~consumer price index~~
 19 **Consumer Price Index** for all urban consumers for the immediately
 20 preceding 12-month period rounded to the nearest whole dollar. ~~This~~
 21 ~~subsection takes effect October 1, 1998.~~

22 (6) ~~The~~**Except as otherwise provided in subsection (14), the**
 23 fee charged by a jurisdictional authority other than the state
 24 transportation department for an intrastate or an out-of-state
 25 vehicle or combination of vehicles of a size exceeding the maximum
 26 specified in this chapter but not exceeding the maximum weight or
 27 load specified in this chapter ~~shall~~**must** not exceed the
 28 administrative costs incurred by that jurisdictional authority in
 29 issuing the permit. ~~This subsection takes effect October 1, 1998.~~



1 (7) A special permit issued under this section ~~shall~~**must** be
 2 carried in the vehicle or combination of vehicles to which it
 3 refers and ~~shall~~**must** be open to inspection by a police officer or
 4 authorized agent of a jurisdictional authority granting the special
 5 permit. **A person with a deemed permit may satisfy the requirements**
 6 **of this section by carrying in the vehicle or combination of**
 7 **vehicles a copy of the application and a printout from the state**
 8 **transportation department's website that shows the unprocessed**
 9 **status of the application as of a date that is more than 2 or 5**
 10 **business days after the date of receipt, as applicable.** A person
 11 ~~shall~~**must** not violate any of the terms or conditions of the
 12 special permit. **The terms and conditions of a deemed permit must be**
 13 **determined based on the representations made in the application.**

14 (8) A person who violates this section is responsible for a
 15 civil infraction.

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

20 (10) ~~Nothing in this~~**This** section ~~shall be construed to~~**does**
 21 **not** allow a jurisdictional authority to impose fees upon or enact
 22 regulations regarding a vehicle or combination of vehicles engaged
 23 in silvicultural operations if the vehicle or combination of
 24 vehicles is not in excess of the size, weight, or load maximums
 25 specified in this chapter and is otherwise in conformity with this
 26 chapter. This subsection does not excuse a vehicle or combination
 27 of vehicles engaged in silvicultural operations from the seasonal
 28 weight reductions described in section 722.

29 (11) Beginning no later than ~~2 years after the effective date~~



1 ~~of the 2018 amendatory act that added this subsection, May 14,~~
 2 **2020**, the state transportation department shall allow an applicant
 3 to obtain an annual permit for the movement of construction
 4 equipment under this section to exceed the size, load, or size and
 5 load maximums specified in this chapter for a power unit without
 6 requiring a separate permit for each individual piece of equipment
 7 carried by that power unit.

8 (12) Beginning no later than ~~2 years after the effective date~~
 9 ~~of the 2018 amendatory act that added this subsection, May 14,~~
 10 **2020**, all of the following apply to an annual permit for the
 11 movement of construction equipment issued by the state
 12 transportation department under subsection (11):

13 (a) The permit may be stored and presented by the holder of
 14 the permit using a mobile device.

15 (b) The permit ~~shall~~**must** not contain any restrictions on
 16 daily operating hours and shall only include Memorial Day weekend,
 17 the Fourth of July holiday, and Labor Day weekend as restricted
 18 holidays. Except as otherwise provided in this subdivision, the
 19 permit ~~shall~~**must** not restrict travel on weekends. The permit may
 20 contain restrictions on travel when the permit holder is traveling
 21 within a county that has a population greater than 150,000. The
 22 restricted holidays described in this subdivision do not apply to a
 23 permit issued for a vehicle used to transport an implement of
 24 husbandry.

25 (c) The permit ~~shall~~**must** not require travel of more than 10
 26 miles per hour below the posted speed limit.

27 **(13) If the single trip, multiple trips, or annual travel for**
 28 **which an applicant requires a special permit under this section**
 29 **includes highways under the jurisdiction of more than 1**



1 jurisdictional authority, upon receipt of a written application and
2 good cause being shown, the state transportation department may
3 issue a special permit that covers all of the highways, including
4 highways that are not under the jurisdiction of the state
5 transportation department. A jurisdictional authority other than
6 the state transportation department shall not require a separate
7 permit for the single trip, multiple trips, or annual travel for
8 which a special permit has been issued by the state transportation
9 department or otherwise require a separate permit for travel on a
10 highway that is covered by a special permit issued by the state
11 transportation department.

12 (14) If the state transportation department issues a special
13 permit described in subsection (13), in addition to collecting the
14 fee charged by the state transportation department for the type of
15 special permit issued, the state transportation department shall
16 collect the fee charged for that type of special permit by each
17 jurisdictional authority whose highways are covered by the special
18 permit. A jurisdictional authority other than the state
19 transportation department shall notify the state transportation
20 department of the fees it charges for special permits under this
21 section and of any increases in such fees. The state transportation
22 department is not liable for the failure to collect fees or
23 increases in fees of which it has not received notice. Money
24 received and collected by the state transportation department under
25 this section for a fee charged by a jurisdictional authority other
26 than the state transportation department is not state funds, must
27 not be credited to the state treasury, and must be transmitted to
28 the jurisdictional authority for whom the money was collected. In
29 addition to the fee charged by the state transportation department



1 for a permit under this section, the state transportation
2 department may charge an additional amount not to exceed the
3 additional administrative costs incurred in issuing a special
4 permit described in subsection (13).

5 (15) An application and payment to the state transportation
6 department for a special permit under this section must be made
7 electronically. The state transportation department shall maintain
8 a website for this purpose. The state transportation department may
9 charge a payment processing fee.

10 (16) The state transportation department shall not deny an
11 application for an immaterial defect. If an applicant submits the
12 application and fee required under this section, the state
13 transportation department must notify the applicant in writing of
14 any material defects in the application within 2 business days
15 after the date of receipt of an application for a single trip or
16 within 5 business days after the date of receipt of an application
17 for multiple trips or annual travel. If the state transportation
18 department fails to either provide notice of a material defect or
19 issue a special permit within 2 business days after the date of
20 receipt of an application for a single trip or within 5 business
21 days after the date of receipt of an application for multiple trips
22 or annual travel, the application is deemed approved and the
23 special permit sought by the application is deemed issued.

24 (17) ~~(13)~~—As used in this section: ~~7~~—"jurisdictional

25 (a) "Business day" means a day other than a Saturday, Sunday,
26 or legal holiday.

27 (b) "Date of receipt" means the date the payment of the fee is
28 processed and the application is submitted. If these events occur
29 on different dates, the date of receipt is the later of the 2



1 dates.

2 (c) "Deemed permit" means a special permit that is deemed
3 issued under subsection (16).

4 (d) "Jurisdictional authority" means the state transportation
5 department, a county road commission, or a local authority having
6 jurisdiction over a highway upon which a vehicle is proposed to be
7 moved pursuant to a permit required under this section.

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.

