

Legislative Analysis



VEHICLE CODE: IMPLEMENTS OF HUSBANDRY, AUTOCYCLES & CRIB VEHICLES

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Senate Bill 1121 (S-1)

Sponsor: Sen. Bruce Caswell

House Committee: Transportation

Senate Committee: Transportation

Complete to 9-18-12

A SUMMARY OF SENATE BILL 1121 AS PASSED BY THE SENATE 6-14-12

Senate Bill 1121 would amend seven sections of the Michigan Vehicle Code, as follows.

Implements of Husbandry (Sections 21, 59, and 73)

Under current law "implement of husbandry" means either a farm tractor, a vehicle designed to be drawn by a farm tractor or animal, a vehicle which directly harvests farm products, or a vehicle which directly applies fertilizer, spray, or seeds to a farm field. Senate Bill 1121 would amend the Section 21 definition of "implement of husbandry" to mean "*a trailer designed or used for the primary function of serving agricultural, horticultural, or livestock operations.*" The bill also states that "*Implement of husbandry includes a farm tractor, self-propelled applicator-type vehicle, farm wagon, farm trailer, a vehicle or trailer adapted for lifting or carrying another implement of husbandry, or any substantially similar equipment used to transport products necessary for agricultural production.*"

The bill would also amend Section 59 and Section 73 to exclude implements of husbandry from the definition of "semi-trailer" and "trailer," respectively.

Regulation of Autocycle (Sections 312a, 312b, 658)

Section 25a of the Michigan Vehicle Code defines "autocycle" as "*an enclosed motorcycle that is equipped with safety belts, rollbar, windshield, wipers, steering wheel, and equipment otherwise required on a motorcycle, and which has not more than 3 wheels in contact with the roadway at any 1 time.*"

Senate Bill 1121 would amend Section 312a of the Michigan Vehicle Code to explicitly exclude autocycle operators from the requirement that motorcycle operators obtain a motorcycle endorsement on their operator's or chauffer's license. The bill would also amend Section 312b to exclude autocycles from language governing three-wheeled motorcycles.

The bill would also amend Section 658 to explicitly exclude autocycles from the crash helmet requirements applicable to motorcycles and to require persons operating or riding in an autocycle on public highways to wear seatbelts.

Vehicle Size-Weight-Load Limitations – Crib Vehicles (Section 717)

Several sections of the Michigan Vehicle Code, beginning with Section 716 (MCL 257.716) deal with vehicle size, weight, and load restrictions. Section 717 establishes the maximum permissible width or load of vehicles at 96 inches with certain designated exceptions. Senate Bill 1121 would make an exception for "crib vehicles" – the outside body width of a crib vehicle could not exceed 108 inches.

FISCAL IMPACT:

Senate Bill 1121 deals with three separate subjects within the Michigan Vehicle Code: the definition of "implements of husbandry," the regulation of autocycles, and the exception of crib vehicles from the maximum permissible vehicle width.

Autocycles

The proposed amendments to Sections 312a, 312b, 658 dealing with autocycles do not appear to have a direct fiscal impact.

Crib Vehicles Width

With regard to bill's proposed amendment to Section 717 to establish the maximum permissible width for "crib vehicles" of 108 inches: The bill does not define "crib vehicles" and there is no general definition elsewhere in the act. We note that 2003 PA 142 (House Bill 4154 of the 2003-3004 Legislative Session) amended Section 719 of the act to make exceptions to vehicle length restriction for "a crib vehicle on which logs are loaded lengthwise." At that time there were concerns that the amendments put Michigan out of compliance with federal vehicle size-weight limitations of Section 658 of Title 23 of the Code Federal Regulations (23 CFR). Annual certifications of compliance are required by 23 CFR Section 657, and the state is subject to federal sanctions for non-compliance, including withholding of federal highway funds. Because of those concerns, 2003 PA 142 included language indicating that the exceptions for crib vehicles would not apply unless 23 USC 127d was amended to allow crib vehicles carrying logs as described in the amended section. To our knowledge, the referenced section of the USC has not been amended.

The proposed amendments to Section 717 in Senate Bill 1121 do not include a reference to federal vehicle size-weight regulations. We do not know if the bill would put the state out of compliance with those regulations.

Implements of Husbandry

The proposed amendments to Sections 21, 59, and 73 would include agricultural, horticultural, and livestock trailers in the definition of "implements of husbandry" and exclude them from the definition of "semi-trailer" and "trailer." As a result, the proposed new definition would appear to exempt agricultural, horticultural, and livestock trailers from the registration requirements of Section 216 and thus the registration taxes imposed on trailers under **Section 801**. This would reduce revenue to the Michigan Transportation Fund by an indeterminate amount.

We note that in addition to the definition sections, and the impact to Section 216, there are 17 other sections of the Michigan Vehicle Code which include the term "instruments of husbandry," including Sections 716, 717, 720, and 721 dealing with vehicle size-weight-load limitations. We have not reviewed how the proposed change to the definition of "instruments of husbandry" would affect those other sections.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.