

2019 WINTER OPS CONFERENCE

MC Spl./Sgt. Joseph Austin
Michigan State Police
Commercial Vehicle Enforcement Division





TOPICS

- ▶ Michigan Vehicle Code
 - ▶ Size and Weight
 - ▶ Spilling
 - ▶ Traffic Control

TOPICS CONTIUED

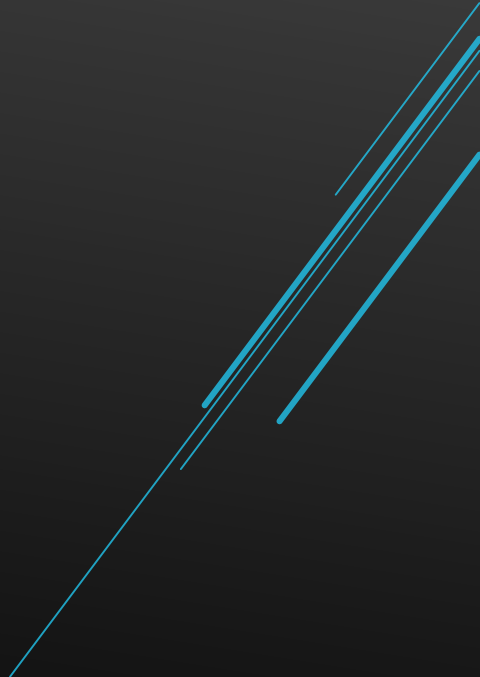
- ▶ Motor Carrier Safety Act
 - ▶ Adopts Federal Motor Carrier Safety Regulations (FMCSRs)
 - ▶ Exempts units of government from most of the FMCSRs
- ▶ Federal Motor Carrier Safety Regulations
 - ▶ Safe Driving and Equipment Standards

MICHIGAN VEHICLE CODE (MVC)

Unless exempt, the Michigan Vehicle Code applies to all vehicles operated on public roads.

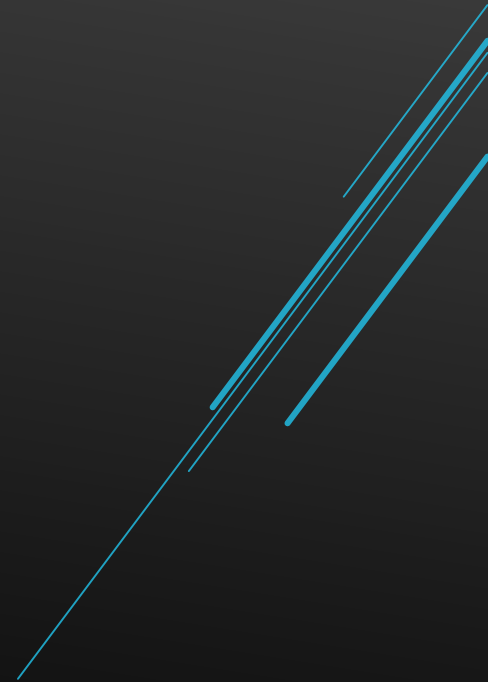
- ▶ **257.603 Applicability of chapter to government vehicles; exemption of authorized emergency vehicles; conditions; exemption of police vehicles not sounding audible signal; exemption of persons, vehicles, and equipment working on surface of highway.**
- ▶ (1) The provisions of this chapter applicable to the drivers of vehicles upon the highway apply to the drivers of all vehicles owned or operated by the United States, this state, or a county, city, township, village, district, or any other political subdivision of the state, subject to the specific exceptions set forth in this chapter with reference to authorized emergency vehicles.

MVC CONTINUED

- ▶ (2) The driver of an authorized emergency vehicle ...may exercise the privileges set forth in this section, subject to the conditions of this section.
 - ▶ (3) The driver of an authorized emergency vehicle may do any of the following:
 - ▶ (a) Park or stand, irrespective of this act.
 - ▶ (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
 - ▶ (c) Exceed the prima facie speed limits so long as he or she does not endanger life or property.
 - ▶ (d) Disregard regulations governing direction of movement or turning in a specified direction.
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MVC CONTINUED

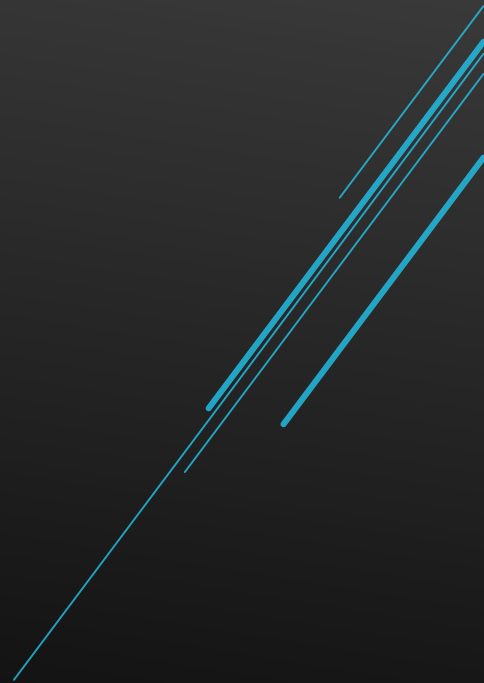
- ▶ (6) The exemptions provided for by this section apply to persons, teams, motor vehicles, and other equipment while actually engaged in work upon the surface of a highway but do not apply to those persons and vehicles when traveling to or from work. The provisions of this chapter governing the size and width of vehicles do not apply to vehicles owned by public highway authorities when the vehicles are proceeding to or from work on public highways.



MVC CONTINUED

- ▶ 257.720-Spilling

(1) A person shall not drive or move a vehicle on a highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, blowing off, or otherwise escaping from the vehicle...Any highway maintenance vehicle engaged in either ice or snow removal shall be exempt from this section.



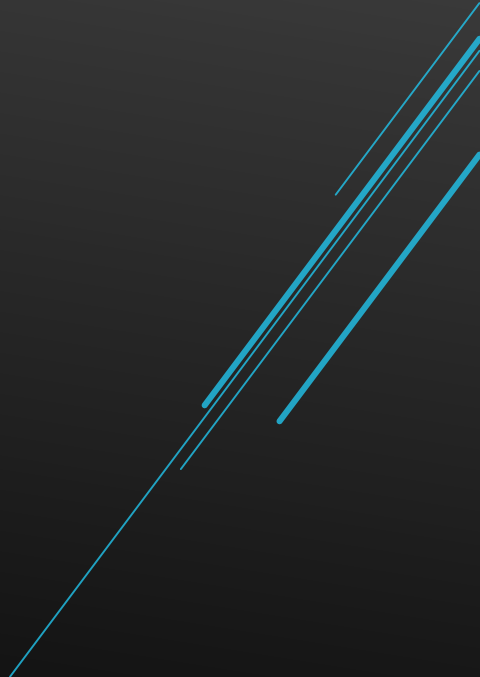
MOTOR CARRIER SAFETY ACT (ACT 181)

- ▶ Adopts the FMCSR's with some exceptions. The government exemptions are found in MCLA 480.15(4)

GOVERNMENT EXEMPTION

480.15 (4)

This act and the rules promulgated under this act do not apply to a commercial motor vehicle owned and operated by a unit of government or its employees, except as otherwise provided in this act, and except for 49 CFR 383.71(h) and all of 49 CFR parts 382, 391, 392, and 393.

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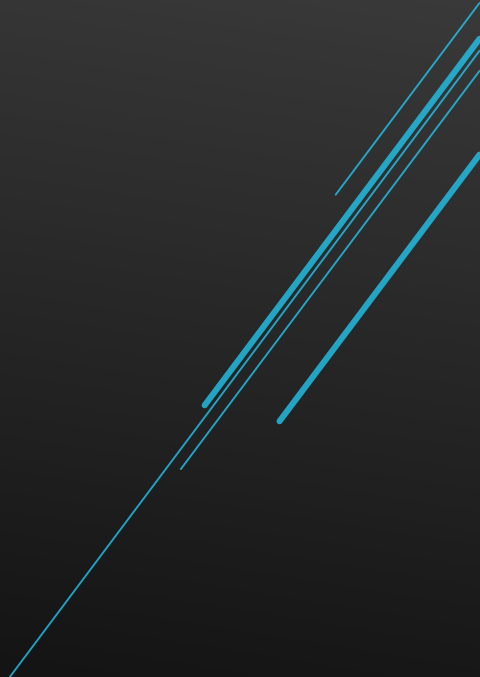
NOT EXEMPT FROM FMCSRS:

Parts:

- ▶ 383.71(h)
 - ▶ CDL Self certification
 - ▶ 382
 - ▶ Drug and Alcohol Testing
 - ▶ 391
 - ▶ Driver Qualifications
 - ▶ 392
 - ▶ Driving of CMVs
 - ▶ 393
 - ▶ Parts and Accessories Necessary for Safe Operation
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EXEMPT FROM:

Parts:

- ▶ 390 Obtaining USDOT Numbers
 - ▶ 395 Hours of Service Regulations**
 - ▶ 396 Inspection, repair, and maintenance
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- ▶ ****392.3 Ill or fatigued operator.**
- ▶ No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, while the driver's ability or alertness is so impaired, or so likely to become impaired, through **fatigue, illness, or any other cause**, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle. However, in a case of grave emergency where the hazard to occupants of the commercial motor vehicle or other users of the highway would be increased by compliance with this section, the driver may continue to operate the commercial motor vehicle to the nearest place at which that hazard is removed.

QUESTIONS



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CONTACT IN

