

SFA

BILL ANALYSIS

RECEIVED

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

NOV 19 1987

Mich. State Law Library

Senate Bill 462 (as reported without amendment)

Sponsor: Senator Mitch Irwin

Committee: State Affairs, Tourism, and Transportation

Date Completed: 10-20-87

RATIONALE

Reportedly, Michigan Vehicle Code restrictions on the maximum allowable length of certain truck-trailer combinations are creating potential problems for northern Michigan's logging industry. Under the Code, the maximum length of a truck tractor-trailer or -semitrailer combination is 59 feet, although vehicles in operation before 1983 may extend to 65 feet. Amendments to the Code in 1986 created an exception to the 59-foot limit for certain three-part combination rigs: there is no limit on the overall combination length of a truck tractor, semitrailer, and trailer or truck tractor and two semitrailers, as long as the cargo-carrying portion of each semitrailer or trailer does not exceed 28.5 feet, and the rig operates only on specially designated highways. Although the exception does not apply to two-part combinations, some people claim that this omission was a legislative oversight. As a result, the Motor Carrier Division of the State Police has a moratorium on ticketing the two-part combinations for violating the 59-foot limit, to give their owners an opportunity to seek a change in the law.

CONTENT

The bill would amend the Michigan Vehicle Code to add the combination of a truck and semitrailer or trailer to those combinations whose overall length is unlimited if the cargo-carrying portion of each trailer or semitrailer (including load) does not exceed 28.5 feet, and if the combination is operated on highways specially designated by the Department of Transportation and local authorities.

MCL 257.719

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS**Supporting Argument**

The bill would resolve problems faced by Michigan's timber industry, which relies heavily on truck-semitrailer or truck-trailer rigs that exceed 59 feet. Although combinations that employ a trailer or semitrailer in use before 1983 may be as long as 65 feet, newer combinations are subject to the 59-foot limit. While the State Police are refraining from ticketing these combination vehicles to allow their owners to seek a change in the law, approval of this bill is important to the industry and the State economy. Timbermen operate at least 100 of the two-part rigs that are over 59 feet, each of which is worth \$110,000-\$120,000. The owners of these vehicles should not have to replace them at a great economic loss or face being ticketed for their use.

Opposing Argument

While it might be appropriate to increase the length limit for two-part combinations, it would be unwise to include these rigs among the combinations whose total length is subject to no limit at all as long as their load-carrying sections do not exceed 28.5 feet. While it can be argued that legislative oversight was responsible for including the two-parters in the 59-foot limit, it does not necessarily follow that these combinations should be treated the same as three-part rigs. According to the State Police, Federal law prohibits states from applying a length limit to three-part combinations whose load-carrying portions are not over 28.5 feet. That regulation does not cover truck-trailer or -semitrailer combinations, however, which were subject to a 65-foot limit in the past, and which still may extend to 65 feet if a pre-1983 trailer or semitrailer is used. Sixty-five feet is the current limit on car-haulers, and should be reapplied to two-part rigs.

Response: The longer, lower rigs encouraged by Federal law are safer in two respects: they have a lower center of gravity and a longer tongue, which gives the driver more reaction time and greater control over the vehicle. The extra eight or 10 feet over the 59-foot length does not make much difference to the motoring public when passing a rig, but can mean a lot to the truck driver in terms of increased maneuverability. Further, if the two-part combinations were subject to a 65-foot limit, the law should grandfather-in the 10-20 two-part rigs that exceed 65 feet and represent over \$1 million of equipment.

Legislative Analyst: S. Margules

Fiscal Analyst: J. Makokha

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 462 (10-20-87)