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BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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House Bill 4357 (Substitute H-1 as reported without amendment)

Sponsor: Representative John D. Pridnia

House Committee: Transportation

Senate Committee: State Affairs, Tourism, and Transportation

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RATIONALE

An increasing number of people appear to be choosing to vacation in Michigan in so-called "fifth wheel" travel trailers--semitrailers designed for recreational living purposes that are constructed to be pulled by pickup trucks with a fifth wheel coupling (a hitch built into the bed of the truck and similar in design to the hitches on "semi" truck tractors). Apparently, many people vacationing in these fifth wheelers also attach additional trailers or semitrailers behind their travel trailer in order to tow boats or other recreational vehicles. Although current law prohibits a "passenger vehicle" from towing more than one trailer or vehicle, there evidently is some confusion as to whether it is legal for a pickup to pull a trailer in addition to fifth wheel travel trailer. In fact, according to one account, a motorist was given two contradictory opinions by State Police officers in towns only 30 miles apart as he was driving north on vacation. Some believe the Legislature should end this confusion by specifically allowing a pickup truck, under certain circumstances, to pull both a fifth wheel trailer and another vehicle or trailer.

CONTENT

The bill would amend the Michigan Vehicle Code to prohibit pickup trucks from pulling more than one vehicle or trailer unless certain conditions were met; to require an R vehicle indorsement before a person could operate such a vehicle; to revise coupling device requirements; and to prohibit a pickup with a fifth wheel assembly from towing a semitrailer unless the assembly conformed to a motor carrier safety rule that governs fifth wheel assemblies.

A pickup with a towing rating at least equal to the weight being towed, equipped with a fifth wheel assembly that conformed with motor carrier safety rules, and attached with a semitrailer designed for recreational living purposes, could tow an additional trailer or semitrailer under the following conditions:

- The additional vehicle was attached with coupling devices and safety chains described in the bill. The safety chains would have to be securely attached at the extreme outer edge of the attached trailer or semitrailer with a locking mechanism. The towing vehicle hitch would have to be of substantial material and attached in a proper and skillful manner to the vehicle's frame.
- The total length of the pickup, recreational semitrailer, and additional trailer or semitrailer did not exceed 59 feet.
- The gross weight of the additional trailer or semitrailer did not exceed the empty weight of the pickup or of the semitrailer.

Before operating such a combination, a person would have to obtain an R vehicle indorsement, unless the person had a Group A or B designation with a T vehicle indorsement. (A Group A designation is required for a vehicle towing a vehicle weighing over 10,000 pounds. Group B is required for a single vehicle weighing over 26,000 pounds, or a combination of vehicles with a weight over 26,000 pounds if the vehicle being towed does not weigh over 10,000 pounds. A T indorsement applies to commercial motor vehicles pulling double or triple trailers.) Before a person was issued an

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original R vehicle indorsement, he or she would have to pass a written examination and pay a \$10 fee, which would be in addition to any other original or renewal license fee. An R vehicle indorsement could not be issued to a person under 18.

A pickup truck towing a semitrailer and additional trailer would be considered a passenger vehicle and could have to comply with the speed limit requirements that apply to a passenger vehicle drawing another vehicle or trailer. (The Code generally sets a maximum of 55 miles per hour for these vehicles (MCL 257.625(5).)

Currently, a vehicle or trailer drawn by another vehicle must be attached to that vehicle with coupling devices that will prevent the vehicle or trailer from being deflected more than six inches from the path of the towing vehicle's wheels. The bill would require, instead, that the vehicle or trailer be attached with coupling devices "in a manner so that when the combination is operated in a linear alignment on a level, smooth, paved surface, the movement of the towed or drawn vehicle or trailer does not deviate more than three inches to either side of the path of the towing vehicle".

The bill would require the Office of Highway Safety and Planning to compile a study and report to the Legislature within two years after the bill took effect regarding the bill's effect on highway safety.

MCL 257.721 et al.

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local units of government. Revenues collected from, and costs of, issuing an R vehicle indorsement on an operator's or chauffeur's license cannot be estimated at this time. Furthermore, other costs could arise, depending on the number of violations and convictions. According to the Office of Highway Safety and Planning, the study required under this bill would have no fiscal impact on the budget expenditures of the Department of State Police.

ARGUMENTS

Supporting Argument

Currently, vacationing motorists pulling "fifth wheelers" plus various recreational vehicles or trailers appear to be neither clearly allowed to engage in this practice nor expressly prohibited from doing so. The growing popularity of fifth wheelers, not to mention the importance of tourism to Michigan, provides a compelling reason for the State specifically to legalize the existing practice. In addition to removing confusion over the legitimacy of this activity, the bill could make the practice safer by regulating it.

Opposing Argument

According to the Transportation Research Institute at the University of Michigan, the third vehicle in a fifth wheel assembly should be only a semitrailer, not a trailer. Unlike a semitrailer, which has only one set of wheels, a trailer is a self-supporting vehicle, with wheels on both the back and the front that are steerable by an independent tongue that goes to the front vehicle. Because a trailer can be pivoted separately, it has a greater potential for instability.

Opposing Argument

It is questionable whether the average recreational driver would possess the skill and experience necessary to guide safely "recreational doubles" up to 59 feet long. The driver often is unable to see the second trailer behind the travel trailer, and needs special driving skills to avoid signs, curbs, trees, parked cars, and other obstacles when turning at intersections or stopping at rest stops, service stations, State parks, and other locations. Although the bill would require drivers to pass a written test and procure an R vehicle indorsement, the Department of State believes that these requirements would be difficult to enforce. The Department also reports that the bill would make Michigan the only state in this region that permitted pickup trucks to tow two trailers.

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