



**House
Legislative
Analysis
Section**

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FARM VEHICLE EXEMPTION

**House Bill 5054 as introduced
First Analysis (11-7-95)**

**Sponsor: Rep. Kim Rhead
Committee: Transportation**

THE APPARENT PROBLEM:

Public Act 91 of 1995 (enrolled House Bill 4773) was enacted to exempt certain vehicles known as "implements of husbandry"—that is, farm-related equipment or vehicles—from provisions contained in the Michigan Vehicle Code governing braking ability. The act was needed, according to testimony provided by the Michigan Farm Bureau at the time, to counteract an interpretation of federal motor carrier safety regulations by federal transportation officials requiring certain common farm combinations weighing over 10,000 pounds to be equipped with brake systems, a mandate many farmers feel is too costly compared to the level of danger these vehicles pose to those who drive them and the general public. Thus, a compromise was adopted to exempt farming implements from the vehicle code's braking requirements as long as they do not exceed 25 miles per hour or the maximum speed for which they are designed. Apparently, similar language needs to be added to the Motor Carrier Safety Act for the exemption to be fully implemented.

THE CONTENT OF THE BILL:

The Motor Carrier Safety Act mirrors federal regulations governing motor carriers and generally applies to all employers, employees, and commercial motor vehicles that transport property or passengers, with certain exceptions. The bill would add to the list of vehicles exempt from the act either a self-propelled or drawn farming implement if 1) the implement met the definition of an "implement of husbandry" as provided under the Michigan Vehicle Code, 2) the motor vehicle hauling the farm implement did not exceed 25 miles per hour if the farm implement was not equipped with brakes or coupling devices, or both, that met federal standards, and 3) the farm implement did not exceed any other implement or component design maximum speed limitation.

MCL 480.13

FISCAL IMPLICATIONS:

The House Fiscal Agency says the bill would not affect state or local budget expenditures. (10-30-95)

ARGUMENTS:

For:

The bill merely would amend the state's Motor Carrier Safety Act to adopt changes nearly identical to those made to the Michigan Vehicle Code by Public Act 91 of this year regarding braking requirements for either self-propelled or drawn farming implements. (See the House Legislative Analysis Section analysis of House Bill 4773, dated 5-10-95.) Apparently, both acts need to state that these types of vehicles are exempt from braking requirements imposed by federal rule, under the conditions specified, in order for the exemption to apply to those who would operate them.

POSITIONS:

The Department of State Police is neutral on the bill. (11-6-95)

The Department of Transportation has no position on the bill. (11-6-95)

■ 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.

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