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SFA



BILL ANALYSIS

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Senate Bill 816 (Substitute S-1 as reported)
Sponsor: Senator Leon Stille
Committee: Agriculture and Forestry

Date Completed: 12-17-97

RATIONALE

The Michigan Vehicle Code sets maximum weights for vehicle combinations (e.g., trucks having freight), but allows the State Transportation Department and local authorities to designate certain highways, or sections of a highway, for heavier loading. Weight limits on other roadways, however, are restricted by specific county regulations. The Code also imposes seasonal limits on the amount of weight that may be transported by trucks over Michigan roadways. During the months of March through May, the maximum allowable axle load is reduced by 25% on concrete pavements or pavements with a concrete base, and by 35% on all other types of roads, although exceptions may be granted for milk haulers. Other agricultural states, reportedly, have either less rigid weight restrictions on local roadways or no seasonal restrictions at all. It has been suggested that the Code be amended to ease the regulatory burden on Michigan farmers by increasing the scope of the heavier weight allowances on designated highways and requiring authorities to grant agricultural products haulers, upon request, an exemption from seasonal weight restrictions.

CONTENT

The bill would amend the Michigan Vehicle Code to increase the scope of the weight restrictions on designated highways or interstate highways for the transportation of agricultural products, and to require exemptions for agricultural products haulers from seasonal weight restrictions on State and county roads.

Currently, the Code specifies gross weight restrictions for vehicle combinations based on pounds per axle, but makes an exception for vehicles on interstate highways and highways

designated by the State Department of Transportation for roads under its jurisdiction. This exception allows the operation of vehicles having a gross vehicle weight of up to 80,000 pounds that are subject to certain load maximums, based on the distance between the axles. The bill specifies, however, that the loading maximums and gross vehicle weight requirements would apply for a distance of up to 10 miles from a designated highway or interstate highway for the purpose of pickup or delivery of an agricultural commodity.

The bill also would require the State Department of Transportation, for roads under its jurisdiction, and a county road commission, for roads under its jurisdiction, to grant exemptions from seasonal weight restrictions only for the hauling of agricultural commodities on specified routes when requested in writing. Currently, the Code permits the Department and county road commissions to exempt milk hauling.

Under the Code, upon receiving a written application and for a good cause shown, the Transportation Department and county road commissions may grant an exemption from seasonal weight restrictions for milk on specified routes. Approval or denial of a request must be given by written notice to the applicant within 30 days after the application is submitted. The bill would delete these provisions.

The bill would define "agricultural commodities" to mean "farm products" as defined in Section 2 of the Michigan Right to Farm Act (MCL 286.472), i.e., "those plants and animals useful to human beings produced by agriculture", including forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae (e.g., deer), livestock, equine, fish, vegetables, flowers, seeds, grasses, nursery, stock,

trees and tree products, mushrooms, “and other similar products, or any product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan commission of agriculture”, as well as fertilizer, farm equipment, and fuel. Agricultural commodities, however, would not include trees and timber.

MCL 257.722

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Currently, agricultural products haulers have to follow State and specific county weight limits when hauling agricultural commodities. If the haulers abide by the regulations, they have to stop on designated highways and interstate highways to unload excess products because weight limits vary from county to county. The bill would avoid this inconvenience by extending heavier weight allowances 10 miles from a designated highway or interstate highway.

Supporting Argument

Evidently, many small agricultural products companies are moving their business out of Michigan because the hauling weight limits are too restrictive and costly. The bill would give agricultural products haulers the same consideration other companies receive in other states, thus, keeping Michigan economically competitive in the agricultural industry.

Opposing Argument

The bill would supersede local control of roadways and would ignore township and county issues. A mandatory weight increase of up to 80,000 pounds for all roadways that are at a 10-mile distance from a designated highway or interstate highway for pickup or delivery of an agricultural commodity, would have a severe impact on county and rural roads.

Response: Local control of roadways should not interfere with local agricultural business since agriculture remains a vital economy in this State.

Opposing Argument

Michigan’s roads were not built to handle increased loads, especially during the spring thaw, which could cause a large amount of damage to unprepared roads. The State’s seasonal vehicle load restrictions were established so that heavy

loads would not break up roadways softened by repeated freezing and thawing.

Response: The Department and county road commissions would have the right to refuse exemptions in certain areas of the State and county roads where severe roadway damage could occur, or an exemption would be costly or dangerous.

Legislative Analyst: N. Nagata

FISCAL IMPACT

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

Fiscal Analyst: P. Alderfer

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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.