

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 46 (as enrolled)  
Sponsor: Senator Leon Stille  
Senate Committee: Farming, Agribusiness and Food Systems  
House Committee: Transportation

**PUBLIC ACT 6 of 2000**

Date Completed: 2-16-01

### **RATIONALE**

The Michigan Vehicle Code sets maximum weights for vehicle combinations (e.g., trucks hauling 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 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. Other agricultural states, reportedly, have either less rigid weight restrictions on local roadways or no seasonal restrictions at all. Some people believed that Michigan's restrictions imposed an undue burden on farmers. It was suggested that the Code be amended to grant agricultural products haulers an exemption from seasonal weight restrictions.

### **CONTENT**

**The bill amended the Michigan Vehicle Code's provisions on vehicle wheel and axle loads to exempt from local seasonal weight restrictions an agricultural commodity hauler who notifies the appropriate county road commission of a pick-up or delivery and obtains a permit that includes a designated route of travel for the load, the date and time of the delivery or pick-up, a maximum speed limit of travel, and other considerations agreed to between the hauler and county road commission. This provision will sunset on April 1, 2002.**

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, or a local authority, 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. Under the bill, vehicles transporting agricultural commodities must have weight load maximums as defined in this provision, except as otherwise provided in the Code.

During March, April, and May, the Code requires that the maximum axle load allowed on concrete pavements or pavements with a concrete base be reduced by 25% from the maximum axle load specified in the Code and by 35% for other types of roads. The Code also prescribes the maximum wheel load on these roads when seasonal road restrictions are in effect. The bill specifies that until April 1, 2002, these provisions do not apply to vehicles transporting agricultural commodities on a highway, road, or street under the jurisdiction of a local road agency.

The bill specifies that this exception applies only if the person who picks up or delivers the agricultural commodity either from a farm or to a farm notifies the county road commission for roads under its authority at least 48 hours before the pick-up or delivery of the time and location of the pick-up or delivery. The county road commission must issue a permit and charge a fee that does not exceed the administrative costs incurred to the person containing the following: the designated route or routes of travel for the load; the date and time period requested by the person who picks up or delivers the agricultural commodities during which the load may be delivered or picked up; a maximum speed limit of travel, if necessary; and, any other specific conditions agreed to between the parties. The bill specifies that these provisions do not apply after April 1, 2002.

The bill retained provisions allowing the State Department of Transportation, for roads under its jurisdiction, and a county road commission, for roads under its jurisdiction, to make exemptions from seasonal weight restrictions for milk on specified routes when requested in writing. The bill deleted a requirement that good cause be shown for an exemption.

Under the bill, "agricultural commodities" means those plants and animals useful to human beings produced by agriculture and includes forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing,

equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, mushrooms, fertilizer, livestock bedding, farming equipment, and fuel for agricultural use. The bill specifies that "agricultural commodities" does not include trees and lumber. This definition does not apply after April 1, 2002.

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**

Agricultural products haulers have to follow State and specific county weight limits when transporting agricultural commodities. If the haulers abide by the regulations, they must stop on designated highways to unload excess products because weight limits vary from county to county. The bill removes this inconvenience by exempting agricultural products haulers from seasonal weight restrictions if the haulers notify the appropriate county road commission of the pick-up or delivery and obtain from the road commission a permit that specifies the route, pick-up or delivery date and time, and maximum speed limit.

### **Opposing Argument**

Michigan's roads were not built to handle increased loads, especially during the spring thaw, when excess weight can 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:** Under the bill, a county road commission may regulate routes and require lower speed limits for portions of a highway that are likely to incur excessive damage. Furthermore, these provisions will be repealed in April 1, 2002, which allows the Legislature to evaluate the effectiveness of the new permit process.

Legislative Analyst: L. Arasim

## **FISCAL IMPACT**

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

Fiscal Analyst: C. Thiel

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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.