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Senate Bill 46 (Substitute S-2)
Sponsor: Senator Leon Stille
Committee: Farming, Agribusiness and Food Systems

Date Completed: 4-20-99

CONTENT

The bill would amend the Michigan Vehicle Code's provisions on vehicle wheel and axle loads to do the following:

- Provide that for the pickup or delivery of an agricultural commodity, the Code's load maximums and gross vehicle weight requirements would apply for up to five miles from a designated highway under a local authority's jurisdiction, notwithstanding seasonal weight restrictions.
- Permit a local authority to require lower speed limits for portions of a highway within the five-mile exemption, but only while seasonal weight restrictions were in effect.
- Require a person who picked up or delivered an agricultural commodity to notify a county road commission of the time and location of a pickup or delivery, in order for the five-mile exemption to apply.
- Specify that the reduction in maximum axle loads required during March, April, and May would not apply to a portion of a highway within the five-mile exemption.

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, 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, if a person who picked up or delivered an agricultural commodity complied with the bill's notification requirements, the Code's loading maximums and gross vehicle weight requirements would apply for a distance of up to five miles from a designated highway or interstate highway that was under the jurisdiction of a local authority for the purpose of pickup or delivery of an agricultural commodity, notwithstanding the Code's seasonal weight restrictions. The local authority, with respect to highways falling within the five-mile exemption, could require lower speed limits for that portion of a highway falling within the five-mile exemption. The local authority, however, could lower speed limits only when the seasonal weight restrictions were in effect.

The five-mile exemption would apply only if a person who picked up or delivered an agricultural commodity notified the county road commission for roads under its authority of one or both of the following: the times and locations of the pickups or deliveries at least one week before the schedule began, if the pickups or deliveries would occur at regularly scheduled intervals of not more than one month; and/or, the time and location of the pickup or delivery at least 24 hours before the pickup or delivery, if it would not occur at regular intervals of one month or less.

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 specifies the maximum wheel load on these roads when seasonal road restrictions are in effect. Under the bill, these provisions would not apply to the portion of a highway falling within the five-mile exemption.

Under the Code, upon receiving a written application and for a good cause shown, the State Department of Transportation and county road commissions may permit exemptions from seasonal weight restrictions for hauling milk on specified routes. Under the bill, the State Department of Transportation, for roads under its

jurisdiction, and a county road commission, for roads under its jurisdiction, other than roads falling within the five-mile exemption, could grant exemptions from seasonal weight restrictions for milk on specified routes when requested in writing.

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". Agricultural commodities also would include fertilizer, farming equipment, and fuel, but would not include trees and timber.

MCL 257.722

Legislative Analyst: L. Arasim

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.