



HOUSE BILL No. 4865

September 28, 1999, Introduced by Reps. Rick Johnson, Julian, Allen, Vear, DeRossett, Switalski and Lemmons and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 705 (MCL 257.705), as amended by 1995 PA 91.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 705. (1) Brake equipment shall be required as
2 follows:
3 (a) A motor vehicle, other than a motorcycle or moped, when
4 operated upon a highway shall be equipped with brakes adequate to
5 control the movement of and to stop and hold the vehicle, includ-
6 ing 2 separate means of applying the brakes, each of which means
7 shall be effective to apply the brakes to at least 2 wheels. If
8 these 2 separate means of applying the brakes are connected in
9 any way, they shall be constructed in a way that failure of 1
10 part of the operating mechanism shall not leave the motor vehicle
11 without brakes on at least 2 wheels.

1 (b) A motorcycle or moped when operated upon a highway shall
2 be equipped with at least 2 brakes, 1 on the front wheel and 1 on
3 the rear wheel, which may be operated by hand or foot.

4 (c) A trailer or semitrailer of a gross weight of ~~5,500~~
5 10,000 pounds or more when operated upon a highway shall be
6 equipped with brakes operating on all wheels and designed to be
7 applied by the driver of the towing motor vehicle from its cab.

8 (d) A new motor vehicle, trailer, or semitrailer sold in
9 this state and operated upon the highways shall be equipped with
10 brakes on all wheels, except a motorcycle or moped, and except
11 that a semitrailer, pole trailer, or trailer of less than 3,000
12 pounds gross weight need not be equipped with brakes if the gross
13 weight of a trailer or pole trailer, no part of the load of which
14 rests upon the towing vehicle, does not exceed 40% of the gross
15 weight of the towing vehicle, and if the gross weight of the
16 towing vehicle and the gross weight of a semitrailer or pole
17 trailer, part of the load of which rests upon the towing vehicle,
18 does not exceed 40% of the gross weight of the towing vehicle
19 when connected to the semitrailer or pole trailer. This subdivi-
20 sion ~~shall~~ DOES not apply to a trailer or semitrailer owned by
21 a farmer and used exclusively in connection with the farming
22 operations of the farmer and not used for hire.

23 (e) Every bus, school bus, truck, or truck tractor shall be
24 equipped with brakes operating on all wheels, except that a truck
25 or truck tractor ~~which~~ THAT has 3 or more axles need not have
26 brakes on the front wheels if the vehicle was manufactured before
27 July 25, 1980.

1 (f) In any combination of motor driven vehicles, means shall
2 be provided for applying the rearmost trailer brakes, for a
3 trailer equipped with brakes, in approximate synchronism with the
4 brakes on the towing vehicle and developing the required braking
5 effort on the rearmost wheels at the fastest rate; or means shall
6 be provided for applying braking effort first on the rearmost
7 trailer equipped with brakes; or both of the above means capable
8 of being used alternatively may be employed.

9 (g) A motor vehicle and combination of vehicles, except pole
10 trailers, motorcycles, and mopeds, shall be equipped with parking
11 brakes adequate to hold the vehicle on any grade on which it is
12 operated, under all conditions of loading on a surface free from
13 snow, ice, or loose material. The parking brakes shall be
14 capable of being applied in conformance with the foregoing
15 requirements by the driver's muscular effort or by spring action
16 or by equivalent means. Their operation may be assisted by the
17 service brakes or other source of power if failure of the service
18 brake actuation system or other power assisting mechanism will
19 not prevent the parking brakes from being applied in conformance
20 with the foregoing requirements. The parking brakes shall be
21 designed in a manner that when once applied they ~~shall~~ remain
22 applied with the required effectiveness despite exhaustion of any
23 source of energy or leakage of any kind. The same brake drums,
24 brake shoes, and lining assemblies, brake shoe anchors, and
25 mechanical brake shoe actuation mechanism normally associated
26 with the wheel brake assemblies may be used for both the service
27 brakes and the parking brakes. If the means of applying the

1 parking brakes and the service brakes are connected in any way,
2 they shall be constructed in a manner that failure of 1 part
3 ~~shall~~ DOES not leave the vehicle without operative brakes.

4 (h) The brake shoes operating within or upon the drums of
5 the vehicle wheels of a motor vehicle may be used for both serv-
6 ice and hand operation.

7 (2) A motor vehicle or combination of motor-drawn vehicles
8 shall be capable at all times and under all conditions of load-
9 ing, of being stopped on a dry, smooth, level road free from
10 loose material within the distances specified below, or shall be
11 capable of being decelerated at a sustained rate corresponding to
12 these distances upon initial application of the service (foot)
13 brake.

14	Feet to stop from	Deceleration
15	20 miles	in feet
16	per hour	per second
17 Vehicles or combination of 18 vehicles having brakes on all 19 wheels.....	30	14
20 Vehicles or combination of 21 vehicles not having brakes 22 on all wheels.....	40	10.7

23 (3) Subsection (2) does not apply to a combination of
24 motor-drawn vehicles under all of the following circumstances:

25 (a) The drawn vehicle is an implement of husbandry as
26 defined in section 21.

1 (b) The motor vehicle hauling the implement of husbandry
2 does not exceed a maximum speed of 25 miles per hour if the
3 implement of husbandry being drawn is not equipped with brakes
4 that meet the standards set forth in 49 C.F.R. 393.40 and this
5 act.

6 (c) If the implement of husbandry being drawn does not
7 exceed any other implement or component design maximum speed lim-
8 itation, the combination of vehicles shall not exceed that maxi-
9 mum speed limitation.

10 (4) All brakes shall be maintained in good working order and
11 shall be adjusted in a manner as to operate as equally as practi-
12 cable with respect to the wheels on the opposite side of the
13 vehicle.