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House Bill 5337 (Substitute H-2 as reported without amendment)
Sponsor: Representative Judson Gilbert
House Committee: Transportation
Senate Committee: Transportation and Tourism

Date Completed: 2-26-02

RATIONALE

The Michigan Vehicle Code contains a number of provisions that specify maximum weights for vehicle combinations (e.g., trucks hauling freight), but allows the State Transportation Department and local road authorities to designate certain highways, or sections of a highway, for heavier loading. Apparently, the standard maximum weight restriction for agricultural commodities haulers on the National Truck Network between the states, except Michigan and Illinois, is 80,000 pounds. Because Michigan's maximum weight restriction is a lower amount, some people believe that it imposes an undue burden on farmers. It has been suggested that the Code be amended in order to standardize the weight restriction for agricultural haulers throughout the highways.

The Code also imposes seasonal limits on the amount of weight that may be transported by trucks over Michigan roadways. Public Act 6 of 2000 granted agricultural products haulers an exemption from these restrictions until April 1, 2002. 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 sunset date on the exemption for agricultural haulers be deleted. In addition, some people believe that public utility vehicles also should be exempt from seasonal weight restrictions.

CONTENT

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

-- Revise the weight restrictions on designated highways for a combination

of truck tractor and semitrailer.

- Create a separate weight restriction for combinations hauling agricultural products between the National Truck Network or designated highways and other highways, until 2007.**
- Delete the April 1, 2002, sunset date on provisions that exempt agricultural commodity haulers from seasonal weight restrictions on State and county roads.**
- Extend the exemption from seasonal weight restrictions to public utility vehicles.**

Currently, when the maximum gross weight of a combination of vehicles with load does not exceed 73,280 pounds, two axle assemblies must be permitted on the designated highways at a gross permissible weight of 16,000 pounds per axle, if there is no other axle within nine feet of any axle of the assembly. The bill would delete reference to that weight limit, and would refer instead to a combination of truck tractor and semitrailer having up to five axles.

The bill also provides that, notwithstanding this limitation, on a combination of truck tractor and semitrailer having up to five axles, two consecutive sets of tandem axles could carry a gross permissible weight of up to 17,000 pounds on any axle of the tandem axles if there were no other axle within nine feet of any axle of the tandem axles, and if the first and last axles of the consecutive sets of tandem axles were at least 36 feet apart, and the gross vehicle weight did not exceed 80,000 pounds, to pick up and deliver agricultural commodities between the National Truck Network or special designated highways and any other highway. This provision would

not apply when seasonal weight restrictions were in effect. In addition, this provision would not apply after December 31, 2006.

The Code requires a reduction in maximum axle loads during March, April, and May, but exempts agricultural products haulers from this requirement until April 1, 2002. The bill also would exempt public utility vehicles and delete the expiration date. Currently, agricultural products haulers are exempted from the seasonal weight restrictions only if they notify the county road commission at least 48 hours before the pick-up or delivery. The county road commission must issue a permit specifying the designated route of travel for the load, the date and time period for the pick-up or delivery, a maximum speed level of travel, and any other specific conditions. The bill would include public utility vehicles in these provisions.

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 product haulers have to follow state and county weight limits when transporting agricultural commodities. If the haulers abide by the regulations, they must stop on designated highways and interstate highways to unload excess products because weight limits vary between Michigan and other states. Currently, Michigan and Illinois are the only states that do not have the 80,000 pound maximum weight restriction. Evidently, many small agricultural products companies are moving their business out of Michigan because the hauling weight limits are too restrictive and costly. By allowing heavier maximum weight limits for combinations hauling agricultural products between the National Truck Network or designated highways or other highways, the bill would keep Michigan economically competitive in the agricultural industry.

Supporting Argument

By deleting the sunset date on provisions exempting agricultural commodity haulers from seasonal weight restrictions on State and county roads, the bill would continue to help

support Michigan's booming agribusiness. In addition, the bill would extend the exemption from seasonal weight restrictions to public utility vehicles to allow for smooth delivery of essential fuel products.

Response: Michigan 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. It is unreasonable to grant exemptions to vehicles carrying certain loads, since the amount of damage to the roads is the same, regardless of what the trucks are hauling.

Legislative Analyst: Nobuko Nagata

FISCAL IMPACT

The bill would have no fiscal impact on State or local government, although allowing heavier trucks could add to the maintenance costs of roads and bridges. The extent of these additional costs, if any, is indeterminate.

Fiscal Analyst: Craig 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.