

**SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5259**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 722. (1) The maximum axle load shall not exceed the  
2 number of pounds designated in the following provisions that  
3 prescribe the distance between axles:

4           (a) If the axle spacing is 9 feet or more between axles, the  
5 maximum axle load shall not exceed 18,000 pounds for vehicles  
6 equipped with high pressure pneumatic or balloon tires.

7           (b) If the axle spacing is less than 9 feet between 2 axles  
8 but more than 3-1/2 feet, the maximum axle load shall not exceed

1 13,000 pounds for high pressure pneumatic or balloon tires.

2 (c) If the axles are spaced less than 3-1/2 feet apart, the  
3 maximum axle load shall not exceed 9,000 pounds per axle.

4 (d) Subdivisions (a), (b), and (c) shall be known as the  
5 normal loading maximum.

6 (2) When normal loading is in effect, the state  
7 transportation department, or a local authority with respect to  
8 highways under its jurisdiction, may designate certain highways,  
9 or sections of those highways, where bridges and road surfaces  
10 are adequate for heavier loading, and revise a designation as  
11 needed, on which the maximum tandem axle assembly loading shall  
12 not exceed 16,000 pounds for any axle of the assembly, if there  
13 is no other axle within 9 feet of any axle of the assembly.

14 (3) On a legal combination of vehicles, only 1 tandem axle  
15 assembly shall be permitted on the designated highways at the  
16 gross permissible weight of 16,000 pounds per axle, if there is  
17 no other axle within 9 feet of any axle of the assembly, and if  
18 no other tandem axle assembly in the combination of vehicles  
19 exceeds a gross weight of 13,000 pounds per axle. On a  
20 combination of truck tractor and semitrailer having not more than  
21 5 axles, 2 consecutive tandem axle assemblies shall be permitted  
22 on the designated highways at a gross permissible weight of  
23 16,000 pounds per axle, if there is no other axle within 9 feet  
24 of any axle of the assembly.

25 (4) Notwithstanding subsection (3), on a combination of  
26 truck tractor and semitrailer having not more than 5 axles, 2  
27 consecutive sets of tandem axles may carry a gross permissible

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1 weight of not to exceed 17,000 pounds on any axle of the tandem  
2 axles if there is no other axle within 9 feet of any axle of the  
3 tandem axles and if the first and last axles of the consecutive  
4 sets of tandem axles are not less than 36 feet apart and the  
5 gross vehicle weight does not exceed 80,000 pounds to pick up and  
6 deliver agricultural commodities between the national truck  
7 network or special designated highways and any other highway.  
8 This subsection is not subject to the maximum axle loads of  
9 subsections (1), (2), and (3). For purposes of this subsection, a  
10 "tandem axle" means 2 axles spaced more than 40 inches but not  
11 more than 96 inches apart or 2 axles spaced more than 3-1/2 feet  
12 but less than 9 feet apart. This subsection does not apply during  
13 that period when reduced maximum loads are in effect pursuant to  
14 subsection ~~(7)~~ (8).

15 (5) The exception to the loading maximums and gross vehicle  
16 weight requirements of subsection ~~(11)~~ (12) under subsection  
17 ~~(7)~~ (8) for a person hauling agricultural commodities ~~or a~~  
18 ~~public utility vehicle~~ applies only if the person who picks up  
19 or delivers the agricultural commodity either from a farm or to a  
20 farm ~~<<or the public utility>>~~ notifies the county road commission  
21 for roads under its authority not less than 48 hours before the  
22 pickup or delivery of the time and location of the pickup or  
23 delivery. The county road commission shall issue a permit to the  
24 person ~~or the public utility~~ and charge a fee that does not  
25 exceed the administrative costs incurred. The permit shall  
26 contain **ALL OF** the following:

27 (a) The designated route or routes of travel for the load.

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1 (b) The date and time period requested by the person who  
 2 picks up or delivers the agricultural commodities <<er- the  
 3 ~~public-utility~~>> during which the load may be delivered or picked  
 4 up.

5 (c) A maximum speed limit of travel, if necessary.

6 (d) Any other specific conditions agreed to between the  
 7 parties.

8 (6) THE EXCEPTION TO THE LOADING MAXIMUMS AND GROSS VEHICLE  
 9 WEIGHT REQUIREMENTS OF SUBSECTION (12) UNDER SUBSECTION (8)  
 10 APPLIES TO PUBLIC UTILITY VEHICLES THAT ARE OWNED OR OPERATED BY  
 11 PUBLIC UTILITIES UNDER THE JURISDICTION OF THE MICHIGAN PUBLIC  
 12 SERVICE COMMISSION<<, OR ARE SUBCONTRACTED BY PUBLIC UTILITIES UNDER THE  
 JURISDICTION OF THE MICHIGAN PUBLIC SERVICE COMMISSION TO PERFORM ELECTRICAL  
 EMERGENCY PUBLIC UTILITY WORK,>> ONLY UNDER THE FOLLOWING CIRCUMSTANCES:

13 (A) FOR EMERGENCY PUBLIC UTILITY WORK ON RESTRICTED ROADS,  
 14 AS FOLLOWS:

15 (i) <<IF REQUIRED BY THE COUNTY ROAD COMMISSION,>> THE PUBLIC  
 UTILITY SHALL NOTIFY THE COUNTY ROAD

16 COMMISSION, AS SOON AS PRACTICAL, OF THE LOCATION OF THE  
 17 EMERGENCY PUBLIC UTILITY WORK AND <<PROVIDE A STATEMENT THAT THE  
 18 VEHICLES THAT WERE USED TO PERFORM THE EMERGENCY UTILITY WORK MAY HAVE  
 EXCEEDED THE LOADING MAXIMUMS AND GROSS VEHICLE WEIGHT REQUIREMENTS OF  
 SUBSECTION (12) UNDER SUBSECTION (8).>> THE

19 NOTIFICATION MAY BE MADE VIA FACSIMILE OR ELECTRONICALLY.

20 (ii) THE PUBLIC UTILITY VEHICLE TRAVELS TO AND FROM THE SITE  
 21 OF THE EMERGENCY PUBLIC UTILITY WORK WHILE ON A RESTRICTED ROAD  
 22 AT A SPEED NOT GREATER THAN 35 MILES PER HOUR.

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27 (B) FOR NONEMERGENCY PUBLIC UTILITY WORK ON RESTRICTED

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1 ROADS, AS FOLLOWS:

2 (i) <<IF THE COUNTY ROAD COMMISSION REQUIRES,>> THE PUBLIC UTILITY  
<<SHALL APPLY>> TO THE COUNTY ROAD COMMISSION

3 ANNUALLY FOR A SEASONAL TRUCK PERMIT FOR ROADS UNDER ITS

4 AUTHORITY BEFORE SEASONAL WEIGHT RESTRICTIONS ARE EFFECTIVE. THE

5 COUNTY ROAD COMMISSION SHALL ISSUE A SEASONAL TRUCK PERMIT FOR

6 EACH <<VEHICLE OR>> VEHICLE CONFIGURATION THE PUBLIC UTILITY ANTICIPATES  
WILL BE

7 UTILIZED FOR NONEMERGENCY PUBLIC UTILITY WORK. THE COUNTY ROAD

8 COMMISSION MAY CHARGE A FEE <<FOR A PERMIT>> THAT DOES NOT EXCEED THE

9 ADMINISTRATIVE COSTS INCURRED <<FOR THE PERMIT>>. THE SEASONAL TRUCK  
PERMIT SHALL

10 CONTAIN ALL OF THE FOLLOWING:

11 (A) THE SEASONAL PERIOD REQUESTED BY THE PUBLIC UTILITY

12 DURING WHICH THE PERMIT IS VALID.

13 (B) A UNIQUE IDENTIFICATION NUMBER FOR THE VEHICLE AND ANY

14 VEHICLE CONFIGURATION TO BE COVERED ON THE SEASONAL TRUCK PERMIT

15 REQUESTED BY THE PUBLIC UTILITY.

16 (C) A REQUIREMENT THAT TRAVEL ON RESTRICTED ROADS DURING

17 WEIGHT RESTRICTIONS WILL BE MINIMIZED AND ONLY UTILIZED WHEN

18 NECESSARY TO PERFORM WORK USING THE PUBLIC UTILITY VEHICLE OR

19 VEHICLE CONFIGURATION AND THAT NONRESTRICTED ROADS SHALL BE USED

20 FOR TRAVEL WHEN AVAILABLE AND FOR ROUTINE TRAVEL.

21 (ii) IF THE COUNTY ROAD COMMISSION REQUIRES NOTIFICATION, THE

22 COUNTY ROAD COMMISSION SHALL PROVIDE A NOTIFICATION APPLICATION

23 FOR THE PUBLIC UTILITY TO USE WHEN REQUESTING ACCESS TO OPERATE

24 ON RESTRICTED ROADS AND THE PUBLIC UTILITY SHALL PROVIDE

25 NOTIFICATION TO THE COUNTY ROAD COMMISSION, VIA FACSIMILE OR

26 ELECTRONICALLY, NOT LATER THAN 24 HOURS BEFORE THE TIME OF THE

27 INTENDED TRAVEL. NOTWITHSTANDING THIS SUBSECTION OR AN AGREEMENT

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1 UNDER THIS SUBSECTION, IF THE COUNTY ROAD COMMISSION DETERMINES  
 2 THAT THE CONDITION OF A PARTICULAR ROAD UNDER ITS JURISDICTION  
 3 MAKES IT UNUSABLE, THE COUNTY ROAD COMMISSION MAY DENY ACCESS TO  
 4 ALL OR ANY PART OF THAT ROAD. THE DENIAL SHALL BE MADE AND  
 5 COMMUNICATED VIA FACSIMILE OR ELECTRONICALLY TO THE PUBLIC  
 6 UTILITY WITHIN 24 HOURS AFTER RECEIVING NOTIFICATION THAT THE  
 7 PUBLIC UTILITY INTENDS TO PERFORM NONEMERGENCY WORK THAT REQUIRES  
 8 USE OF THAT ROAD. ANY NOTIFICATION THAT IS NOT DISAPPROVED WITHIN  
 9 24 HOURS AFTER THE NOTICE IS RECEIVED BY THE COUNTY ROAD  
 10 COMMISSION IS CONSIDERED APPROVED. THE NOTIFICATION APPLICATION  
 11 REQUIRED UNDER THIS SUBPARAGRAPH <<MAY INCLUDE

12 >> ALL OF THE FOLLOWING INFORMATION:

13 (A) THE ADDRESS OR LOCATION OF THE NONEMERGENCY WORK.

14 (B) THE DATE OR DATES OF THE NONEMERGENCY WORK.

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16 <<(C)>> THE ROUTE TO BE TAKEN TO THE NONEMERGENCY WORK SITE.

17 <<(D) THE RESTRICTED ROAD OR ROADS INTENDED TO BE TRAVELED UPON TO  
 18 THE NONEMERGENCY WORK SITE OR SITES.>>

19 (7) ~~—(6)—~~ The normal size of tires shall be the rated size  
 20 as published by the manufacturers, and the maximum wheel load  
 21 permissible for any wheel shall not exceed 700 pounds per inch of  
 22 width of tire.

23 (8) ~~—(7)—~~ Except as provided in this subsection and  
 24 subsection ~~—(8)—~~ (9), during the months of March, April, and May  
 25 in each year, the maximum axle load allowable on concrete  
 26 pavements or pavements with a concrete base ~~—shall be—~~ IS reduced  
 27 by 25% from the maximum axle load as specified in this chapter,

1 and the maximum axle loads allowable on all other types of roads  
2 during these months ~~shall be~~ **ARE** reduced by 35% from the  
3 maximum axle loads as specified. The maximum wheel load shall not  
4 exceed 525 pounds per inch of tire width on concrete and concrete  
5 base or 450 pounds per inch of tire width on all other roads  
6 during the period the seasonal road restrictions are in effect.

7 This subsection does not apply to vehicles transporting  
8 agricultural commodities or public utility vehicles on a highway,  
9 road, or street under the jurisdiction of a local road agency.

10 (9) ~~(8)~~ The state transportation department for roads  
11 under its jurisdiction and a county road commission for roads  
12 under its jurisdiction may grant exemptions from seasonal weight  
13 restrictions for milk on specified routes when requested in  
14 writing. Approval or denial of a request for an exemption shall  
15 be given by written notice to the applicant within 30 days after  
16 the date of submission of the application. If a request is  
17 denied, the written notice shall state the reason for denial and  
18 alternate routes for which the permit may be issued. The  
19 applicant may appeal to the state transportation commission or  
20 the county road commission. These exemptions do not apply on  
21 county roads in counties that have negotiated agreements with  
22 milk haulers or haulers of other commodities during periods of  
23 seasonal load limits before April 14, 1993. This subsection does  
24 not limit the ability of these counties to continue to negotiate  
25 such agreements.

26 (10) ~~(9)~~ The state transportation department, or a local  
27 authority with respect to highways under its jurisdiction, may

1 suspend the restrictions imposed by this section when and where  
2 conditions of the highways or the public health, safety, and  
3 welfare warrant suspension, and impose the restricted loading  
4 requirements of this section on designated highways at any other  
5 time that the conditions of the highway require.

6       (11) ~~—(10)—~~ For the purpose of ~~enforcement of~~ **ENFORCING**  
7 this act, the gross vehicle weight of a single vehicle and load  
8 or a combination of vehicles and loads, shall be determined by  
9 weighing individual axles or groups of axles, and the total  
10 weight on all the axles shall be the gross vehicle weight. In  
11 addition, the gross axle weight shall be determined by weighing  
12 individual axles or by weighing a group of axles and dividing the  
13 gross weight of the group of axles by the number of axles in the  
14 group. ~~Pursuant to~~ **FOR PURPOSES OF** subsection ~~—(11)—~~ **(12)**, the  
15 overall gross weight on a group of 2 or more axles shall be  
16 determined by weighing individual axles or several axles, and the  
17 total weight of all the axles in the group shall be the overall  
18 gross weight of the group.

19       (12) ~~—(11)—~~ The loading maximum in this subsection applies  
20 to interstate highways, and the state transportation department,  
21 or a local authority with respect to highways under its  
22 jurisdiction, may designate a highway, or a section of a highway,  
23 for the operation of vehicles having a gross vehicle weight of  
24 not more than 80,000 pounds that are subject to the following  
25 load maximums:

26       (a) Twenty thousand pounds on any 1 axle, including all  
27 enforcement tolerances.

1 (b) A tandem axle weight of 34,000 pounds, including all  
2 enforcement tolerances.

3 (c) An overall gross weight on a group of 2 or more  
4 consecutive axles equaling:

$$5 \quad W = 500 \frac{\sqrt{LN} + 12N + 36}{\sqrt{N-1}}$$

7 where W = overall gross weight on a group of 2 or more  
8 consecutive axles to the nearest 500 pounds, L = distance in feet  
9 between the extreme of a group of 2 or more consecutive axles,  
10 and N = number of axles in the group under consideration; except  
11 that 2 consecutive sets of tandem axles may carry a gross load of  
12 34,000 pounds each if the first and last axles of the consecutive  
13 sets of tandem axles are not less than 36 feet apart. The gross  
14 vehicle weight shall not exceed 80,000 pounds including all  
15 enforcement tolerances. Except for 5 axle truck tractor,  
16 semitrailer combinations having 2 consecutive sets of tandem  
17 axles, vehicles having a gross weight in excess of 80,000 pounds  
18 or in excess of the vehicle gross weight determined by  
19 application of the formula in this subsection ~~shall be~~ **ARE**  
20 subject to the maximum axle loads of subsections (1), (2), and  
21 (3). As used in this subsection, "tandem axle weight" means the  
22 total weight transmitted to the road by 2 or more consecutive  
23 axles, the centers of which may be included between parallel  
24 transverse vertical planes spaced more than 40 inches but not  
25 more than 96 inches apart, extending across the full width of the

1 vehicle. Except as otherwise provided in this section, vehicles  
2 transporting agricultural commodities shall have weight load  
3 maximums as ~~defined~~ **SET FORTH** in this subsection.

4 (13) ~~(12)~~ As used in this section: ~~,"agricultural~~  
5 ~~commodities"~~

6 (A) **"AGRICULTURAL COMMODITIES"** means those plants and  
7 animals useful to human beings produced by agriculture and  
8 includes, but is not limited to, forages and sod crops, grains  
9 and feed crops, field crops, dairy and dairy products, poultry  
10 and poultry products, cervidae, livestock, including breeding and  
11 grazing, equine, fish, and other aquacultural products, bees and  
12 bee products, berries, herbs, fruits, vegetables, flowers, seeds,  
13 grasses, nursery stock, mushrooms, fertilizer, livestock bedding,  
14 farming equipment, and fuel for agricultural use. The term  
15 ~~"agricultural commodities" shall~~ **DOES** not include trees ~~and~~ **OR**  
16 lumber.

17 (B) **"EMERGENCY PUBLIC UTILITY WORK"** MEANS WORK PERFORMED TO  
18 RESTORE PUBLIC UTILITY SERVICE OR TO ELIMINATE A DANGER TO THE  
19 PUBLIC DUE TO A NATURAL DISASTER, AN ACT OF GOD, OR AN EMERGENCY  
20 SITUATION, WHETHER OR NOT A PUBLIC OFFICIAL HAS DECLARED AN  
21 **EMERGENCY.**