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House Bill 5695 (Substitute H-1 as passed by the House)
Sponsor: Representative Jeff Mayes
House Committee: Transportation
Senate Committee: Transportation

Date Completed: 4-21-08

CONTENT

The bill would amend the Michigan Vehicle Code to delete the following:

- Provisions for securing logs or tubular products being transported on a highway.**
- Requirements for securing logs transported in a crib vehicle, which are subject to an amendment of Federal law and a waiver of certain Federal regulations.**

Specifically, the bill would delete all of the provisions described below.

The Code prohibits a person from operating a motor vehicle carrying logs or tubular products on a highway unless certain conditions are met.

If the logs or tubular products are loaded crosswise or at right angles to the side of the vehicle, the load must be fastened securely to the body or frame of the vehicle with at least two binders that are secured to the frame at each end of the load and pass over the load so that the frame and binders completely encircle it.

If the vehicle is a truck or trailer carrying logs that has a loading surface more than 33 feet long and the logs are loaded crosswise or at right angles to the vehicle, it must be equipped with a center partition located about half the distance from the front to the rear of the loading surface. The center partition must be either a center-mounted hydraulic loader or a center set of stakes, and must be pinned, bolted, or otherwise securely fastened to the frame. The load must be secured as required above and, in addition, the two lengthwise tie-downs must be attached or threaded through the center partition at a level at least one foot below the load height.

If the logs or tubular products are loaded lengthwise of the vehicle, obliquely or parallel to the sides, with metal stakes and pockets, the load must be secured as follows:

- With two tie-downs from frame to frame for every tier.
- So that not more than half the diameter of the top log or tubular product extends higher than the stake tops.
- With two cross chains per tier if the load extends more than five feet above the loading surface.
- So that every 10 linear feet has at least one tie-down from frame to frame.

If the logs or tubular products are loaded lengthwise of the vehicle, obliquely or parallel to the sides, with permanent metal gusseted bunks, the load must be secured as described above, but cross chains are not required.

The following provisions do not apply unless Section 127(d) of Title 23 of the U.S. Code is amended to allow crib vehicles to carry logs loaded as described, and a waiver of the tie-down requirements under 49 CFR 393.116 is authorized by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. (Please see **BACKGROUND** for a description of that Federal law and regulation.)

Subject to that provision, if the vehicle is a crib vehicle and the logs are loaded lengthwise of the vehicle, the logs must be loaded and secured as follows:

- The vehicle must have sides, sideboards, or stakes; a front headboard, bulkhead, or frontgate; and a rear headboard, bulkhead, or endgate, each of which is strong enough and high enough to assure that the load will not shift upon or fall from the vehicle.
- The sides, sideboards, headboard, bulkhead, or front or rear endgate that is in direct contact with the ends of the logs may not have an aperture large enough to permit logs to pass through it.
- There must be at least two stakes on each side of the vehicle per tier of logs.
- Vehicles with permanent steel gusseted bunks do not require cross chains.
- Vehicles with steel stakes and pockets require cross chains for each tier if the load extends more than five feet above the loading surface.
- Three additional lights are required on the upper rear of the vehicle.
- Vehicles over 102 inches wide must have lights placed at each stake along the longitudinal length of the vehicle.
- Not more than half the diameter of the top logs may extend higher than the stake tops when loaded.

Tie-downs are not required if the distance between a tier of logs and a headboard, bulkhead, front or rear endgate, or another tier of logs does not allow a log to lose contact with a side stake if a log were to shift forward or backward, and if each tier of logs is loaded to the same height from the stake tops to prevent movement.

If those conditions are not met, then one tie-down assembly that meets the requirements of the Vehicle Code and Federal regulations is required for each tier of logs.

The tie-downs, cross chains, stakes, and other materials used to secure loads of logs or tubular products as required above must meet specific minimum requirements pertaining to size and strength.

MCL 257.720

BACKGROUND

Section 127(d) of Title 23 of the U.S. Code governs the operation of a "longer combination vehicle", which is any combination of a truck tractor and two or more trailers or semi-trailers that operates on the Interstate highway system at a gross vehicle weight greater than 80,000 pounds.

The requirements in 49 CFR 393.116 apply to logs in transport. The current version of that rule, as amended in 2006, requires tie-downs to be used to secure the load unless the logs are transported in a crib-type log trailer and are loaded in compliance with this regulation.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

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

Fiscal Analyst: Debra Hollon

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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.