

# HOUSE BILL No. 4316

February 23, 2011, Introduced by Reps. Huuki and McBroom 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 2000 PA 214.

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

1           Sec. 705. (1) Brake equipment shall be required as follows:

2           (a) A motor vehicle, other than a motorcycle or moped, and a  
3 low-speed vehicle when operated upon a highway shall be equipped  
4 with brakes adequate to control the movement of and to stop and  
5 hold the vehicle, including 2 separate means of applying the  
6 brakes, each of which means shall be effective to apply the  
7 brakes to at least 2 wheels. If these 2 separate means of  
8 applying the brakes are connected in any way, they shall be  
9 constructed in a way that failure of 1 part of the operating

1 mechanism shall not leave the motor vehicle without brakes on at  
2 least 2 wheels.

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

6 (c) A trailer or semitrailer of a gross weight of 15,001  
7 pounds or more when operated upon a highway shall be equipped  
8 with brakes operating on all wheels and designed to be applied by  
9 the driver of the towing motor vehicle from its cab.

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

25 (e) Every bus, school bus, truck, or truck tractor shall be  
26 equipped with brakes operating on all wheels, except that a truck  
27 or truck tractor that has 3 or more axles need not have brakes on

1 the front wheels if the vehicle was manufactured before July 25,  
2 1980.

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

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

1 assemblies may be used for both the service brakes and the  
2 parking brakes. If the means of applying the parking brakes and  
3 the service brakes are connected in any way, they shall be  
4 constructed in a manner that failure of 1 part shall not leave  
5 the vehicle without operative brakes.

6 (h) The brake shoes operating within or upon the drums of  
7 the vehicle wheels of a motor vehicle may be used for both  
8 service and hand operation.

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

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

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

27 (a) The drawn vehicle is an implement of husbandry. ~~as~~

1 ~~defined in section 21.~~

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

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

11 **(4) NOTHING IN THIS ACT OR RULES PROMULGATED UNDER THIS ACT**  
12 **REQUIRES A SLASHER SAW TABLE TO BE EQUIPPED WITH BRAKES.**

13 **(5)** ~~(4)~~ All brakes shall be maintained in good working order  
14 and shall be adjusted in a manner as to operate as equally as  
15 practicable with respect to the wheels on the opposite side of  
16 the vehicle.