

**SUBSTITUTE FOR  
SENATE BILL NO. 265**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 722 (MCL 257.722), as amended by 2009 PA 146.

**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  
9       13,000 pounds for high pressure pneumatic or balloon tires.

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

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

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

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

(4) Notwithstanding subsection (3), on a combination of truck tractor and semitrailer having not more than 5 axles, 2 consecutive sets of tandem axles may carry a gross permissible weight of not to exceed 17,000 pounds on any axle of the tandem axles if there is no other axle within 9 feet of any axle of the tandem axles and if the first and last axles of the consecutive

1 sets of tandem axles are not less than 36 feet apart and the  
2 gross vehicle weight does not exceed 80,000 pounds to pick up and  
3 deliver agricultural commodities between the national truck  
4 network or special designated highways and any other highway.

5 This subsection is not subject to the maximum axle loads of  
6 subsections (1), (2), and (3). For purposes of this subsection, a  
7 "tandem axle" means 2 axles spaced more than 40 inches but not  
8 more than 96 inches apart or 2 axles spaced more than 3-1/2 feet  
9 but less than 9 feet apart. This subsection does not apply during  
10 that period when reduced maximum loads are in effect under  
11 subsection (8).

12 (5) The seasonal reductions described under subsection (8)  
13 to the loading maximums and gross vehicle weight requirement of  
14 subsection (12) do not apply to a person hauling agricultural  
15 commodities if the person who picks up or delivers the  
16 agricultural commodity either from a farm or to a farm notifies  
17 the county road commission for roads under its authority not less  
18 than 48 hours before the pickup or delivery of the time and  
19 location of the pickup or delivery. The county road commission  
20 shall issue a permit to the person and charge a fee that does not  
21 exceed the administrative costs incurred. The permit shall  
22 contain all of the following:

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

24 (b) The date and time period requested by the person who  
25 picks up or delivers the agricultural commodities during which  
26 the load may be delivered or picked up.

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

1 (d) Any other specific conditions agreed to between the  
2 parties.

3 (6) The seasonal reductions described under subsection (8)  
4 to the loading maximums and gross vehicle weight requirements of  
5 subsection (12) do not apply to public utility vehicles under the  
6 following circumstances:

7 (a) For emergency public utility work on restricted roads,  
8 as follows:

9 (i) If required by the county road commission, the public  
10 utility or its subcontractor shall notify the county road  
11 commission, as soon as practical, of the location of the  
12 emergency public utility work and provide a statement that the  
13 vehicles that were used to perform the emergency utility work may  
14 have exceeded the loading maximums and gross vehicle weight  
15 requirements of subsection (12) as reduced under subsection (8).  
16 The notification may be made via facsimile or electronically.

17 (ii) The public utility vehicle travels to and from the site  
18 of the emergency public utility work while on a restricted road  
19 at a speed not greater than 35 miles per hour.

20 (b) For nonemergency public utility work on restricted  
21 roads, as follows:

22 (i) If the county road commission requires, the public  
23 utility or its subcontractor shall apply to the county road  
24 commission annually for a seasonal truck permit for roads under  
25 its authority before seasonal weight restrictions are effective.  
26 The county road commission shall issue a seasonal truck permit  
27 for each public utility vehicle or vehicle configuration the

1 public utility or subcontractor anticipates will be utilized for  
2 nonemergency public utility work. The county road commission may  
3 charge a fee for a seasonal truck permit that does not exceed the  
4 administrative costs incurred for the permit. The seasonal truck  
5 permit shall contain all of the following:

6 (A) The seasonal period requested by the public utility or  
7 subcontractor during which the permit is valid.

8 (B) A unique identification number for the vehicle and any  
9 vehicle configuration to be covered on the seasonal truck permit  
10 requested by the public utility or subcontractor.

11 (C) A requirement that travel on restricted roads during  
12 weight restrictions will be minimized and only utilized when  
13 necessary to perform public utility work using the public utility  
14 vehicle or vehicle configuration and that nonrestricted roads  
15 shall be used for travel when available and for routine travel.

16 (D) A requirement that in the case of a subcontractor the  
17 permit is only valid while the subcontractor vehicle is being  
18 operated in the performance of public utility work.

19 (E) A requirement that a subcontractor vehicle or vehicle  
20 configuration shall display signage on the outside of the vehicle  
21 to identify the vehicle as operating on behalf of the public  
22 utility.

23 (ii) If the county road commission requires notification, the  
24 county road commission shall provide a notification application  
25 for the public utility or its subcontractor to use when  
26 requesting access to operate on restricted roads and the public  
27 utility or its subcontractor shall provide notification to the

1 county road commission, via facsimile or electronically, not  
2 later than 24 hours before the time of the intended travel. A  
3 subcontractor using a vehicle on a restricted road shall have a  
4 copy of any notification provided to a county road commission in  
5 the subcontractor's possession while performing the relevant  
6 nonemergency work. Notwithstanding this subsection or an  
7 agreement under this subsection, if the county road commission  
8 determines that the condition of a particular road under its  
9 jurisdiction makes it unusable, the county road commission may  
10 deny access to all or any part of that road. The denial shall be  
11 made and communicated via facsimile or electronically to the  
12 public utility or its subcontractor within 24 hours after  
13 receiving notification that the public utility or subcontractors  
14 intends to perform nonemergency work that requires use of that  
15 road. Any notification that is not disapproved within 24 hours  
16 after the notice is received by the county road commission is  
17 considered approved. The notification application required under  
18 this subparagraph may include all of the following information:

- 19 (A) The address or location of the nonemergency work.
- 20 (B) The date or dates of the nonemergency work.
- 21 (C) The route to be taken to the nonemergency work site.
- 22 (D) The restricted road or roads intended to be traveled  
23 upon to the nonemergency work site or sites.
- 24 (E) In the case of a subcontractor, the utility on whose  
25 behalf the subcontractor is performing services.
- 26 (7) The normal size of tires shall be the rated size as  
27 published by the manufacturers, and the maximum wheel load

1 permissible for any wheel shall not exceed 700 pounds per inch of  
2 width of tire.

3 (8) Except as provided in this subsection and subsection  
4 (9), during the months of March, April, and May in each year, the  
5 maximum axle load allowable on concrete pavements or pavements  
6 with a concrete base is reduced by 25% from the maximum axle load  
7 as specified in this chapter, and the maximum axle loads  
8 allowable on all other types of roads during these months are  
9 reduced by 35% from the maximum axle loads as specified. The  
10 maximum wheel load shall not exceed 525 pounds per inch of tire  
11 width on concrete and concrete base or 450 pounds per inch of  
12 tire width on all other roads during the period the seasonal road  
13 restrictions are in effect. Subject to subsection (5), this  
14 subsection does not apply to vehicles transporting agricultural  
15 commodities or, subject to subsection (6), public utility  
16 vehicles on a highway, road, or street under the jurisdiction of  
17 a local road agency. **IN ADDITION, THIS SUBSECTION DOES NOT APPLY**  
18 **TO VEHICLES DELIVERING HEATING FUEL TO A RESIDENCE.** The state  
19 transportation department and each local authority with highways  
20 and streets under its jurisdiction to which the seasonal  
21 restrictions prescribed under this subsection apply shall post  
22 all of the following information on the homepage of its website  
23 or, if a local authority does not have a website, then on the  
24 website of a statewide road association of which it is a member:  
25 (a) The dates when the seasonal restrictions are in effect.  
26 (b) The names of the highways and streets and portions of  
27 highways and streets to which the seasonal restrictions apply.

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

17           (10) The state transportation department, or a local  
18 authority with respect to highways under its jurisdiction, may  
19 suspend the restrictions imposed by this section when and where  
20 conditions of the highways or the public health, safety, and  
21 welfare warrant suspension, and impose the restricted loading  
22 requirements of this section on designated highways at any other  
23 time that the conditions of the highway require.

24           (11) For the purpose of enforcing this act, the gross  
25 vehicle weight of a single vehicle and load or a combination of  
26 vehicles and loads shall be determined by weighing individual  
27 axles or groups of axles, and the total weight on all the axles

shall be the gross vehicle weight. In addition, the gross axle weight shall be determined by weighing individual axles or by weighing a group of axles and dividing the gross weight of the group of axles by the number of axles in the group. For purposes of subsection (12), the overall gross weight on a group of 2 or more axles shall be determined by weighing individual axles or several axles, and the total weight of all the axles in the group shall be the overall gross weight of the group.

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

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

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

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

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

where W = overall gross weight on a group of 2 or more consecutive axles to the nearest 500 pounds, L = distance in feet

1 between the extreme of a group of 2 or more consecutive axles,  
2 and N = number of axles in the group under consideration; except  
3 that 2 consecutive sets of tandem axles may carry a gross load of  
4 34,000 pounds each if the first and last axles of the consecutive  
5 sets of tandem axles are not less than 36 feet apart. The gross  
6 vehicle weight shall not exceed 80,000 pounds including all  
7 enforcement tolerances. Except for 5 axle truck tractor,  
8 semitrailer combinations having 2 consecutive sets of tandem  
9 axles, vehicles having a gross weight in excess of 80,000 pounds  
10 or in excess of the vehicle gross weight determined by  
11 application of the formula in this subsection are subject to the  
12 maximum axle loads of subsections (1), (2), and (3). As used in  
13 this subsection, "tandem axle weight" means the total weight  
14 transmitted to the road by 2 or more consecutive axles, the  
15 centers of which may be included between parallel transverse  
16 vertical planes spaced more than 40 inches but not more than 96  
17 inches apart, extending across the full width of the vehicle.  
18 Except as otherwise provided in this section, vehicles  
19 transporting agricultural commodities shall have weight load  
20 maximums as set forth in this subsection.

21 (13) As used in this section:

22 (a) "Agricultural commodities" means those plants and  
23 animals useful to human beings produced by agriculture and  
24 includes, but is not limited to, forages and sod crops, grains  
25 and feed crops, field crops, dairy and dairy products, poultry  
26 and poultry products, cervidae, livestock, including breeding and  
27 grazing, equine, fish, and other aquacultural products, bees and

1 bee products, berries, herbs, fruits, vegetables, flowers, seeds,  
2 grasses, nursery stock, mushrooms, fertilizer, livestock bedding,  
3 farming equipment, and fuel for agricultural use. The term does  
4 not include trees or lumber.

5 (b) "Emergency public utility work" means work performed to  
6 restore public utility service or to eliminate a danger to the  
7 public due to a natural disaster, an act of God, or an emergency  
8 situation, whether or not a public official has declared an  
9 emergency.

10 (c) "Public utility" means a public utility under the  
11 jurisdiction of the public service commission or a transmission  
12 company.

13 (d) "Public utility vehicle" means a vehicle owned or  
14 operated by a public utility or operated by a subcontractor on  
15 behalf of a public utility.

16 (e) "Transmission company" means either an affiliated  
17 transmission company or an independent transmission company as  
18 those terms are defined in section 2 of the electric transmission  
19 line certification act, 1995 PA 30, MCL 460.562.