

HOUSE BILL No. 4586

May 12, 2015, Introduced by Rep. Darany and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 719 and 722 (MCL 257.719 and 257.722),
section 719 as amended by 2012 PA 282 and section 722 as amended
by 2012 PA 522.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 719. (1) A vehicle unloaded or with load shall not
2 exceed a height of 13 feet 6 inches. The owner of a vehicle that
3 collides with a lawfully established bridge or viaduct is liable
4 for all damage and injury resulting from a collision caused by
5 the height of the vehicle, whether the clearance of the bridge or
6 viaduct is posted or not.

7 (2) Lengths described in this subsection shall be known as
8 the normal length maximum. Except as provided in subsection (3),

the following vehicles and combinations of vehicles shall not be operated on a highway in this state in excess of these lengths:

(a) Subject to subsection (8), any single vehicle: 40 feet; a crib vehicle on which logs are loaded lengthwise of the vehicle: 42.5 feet; any single bus or motor home: 45 feet.

(b) Articulated buses: 65 feet.

(c) Notwithstanding any other provision of this section, a combination of a truck and semitrailer or trailer, or a truck tractor, semitrailer, and trailer, or truck tractor and semitrailer or trailer, designed and used exclusively to transport assembled motor vehicles or bodies, recreational vehicles, or boats: 65 feet. A combination of a truck and semitrailer or trailer, or a truck tractor, semitrailer, and trailer, or a truck tractor and semitrailer or trailer designed and used to transport boats from the manufacturer, or a stinger-steered combination: 75 feet. The load on the combinations of vehicles described in this subdivision may extend an additional 3 feet beyond the front and 4 feet beyond the rear of the combinations of vehicles. Retractable extensions used to support and secure the load that do not extend beyond the allowable overhang for the front and rear shall not be included in determining length of a loaded vehicle or vehicle combination.

(d) Truck tractor and semitrailer combinations: no overall length, the semitrailer: 50 feet.

(e) Truck and semitrailer or trailer: 59 feet.

(f) Except as provided in subdivision (g), truck tractor, semitrailer, and trailer, or truck tractor and 2 semitrailers: 59

1 feet.

2 (g) A truck tractor, semitrailer, and trailer, or a truck
3 tractor and 2 semitrailers, in which no semitrailer or trailer is
4 more than 28-1/2 feet long: 65 feet. This subdivision only
5 applies while the vehicle is being used for a business purpose
6 reasonably related to picking up or delivering a load and only if
7 each semitrailer or trailer is equipped with a device or system
8 capable of mechanically dumping construction materials or dumping
9 construction materials by force of gravity.

10 (h) More than 1 motor vehicle, wholly or partially
11 assembled, in combination, utilizing 1 tow bar or 3 saddle mounts
12 with full mount mechanisms and utilizing the motive power of 1 of
13 the vehicles in combination: 55 feet.

14 (i) A recreational vehicle that has its own motive power, in
15 combination with a trailer: 65 feet or, if the operator of the
16 recreational vehicle has a group commercial motor vehicle
17 designation on his or her operator's or chauffeur's license, 75
18 feet.

19 (3) Notwithstanding subsection (2), the following vehicles
20 and combinations of vehicles shall not be operated on a
21 designated highway of this state in excess of these lengths:

22 (a) Truck tractor and semitrailer combinations: no overall
23 length limit, the semitrailer 53 feet. All semitrailers longer
24 than 50 feet shall have a wheelbase of 37.5 to 40.5 feet plus or
25 minus 0.5 feet, measured from the kingpin coupling to the center
26 of the rear axle or the center of the rear axle assembly. City,
27 village, or county authorities may prohibit stops of vehicles

1 with a semitrailer longer than 50 feet within their jurisdiction
2 unless the stop occurs along appropriately designated routes, or
3 is necessary for emergency purposes or to reach shippers,
4 receivers, warehouses, and terminals along designated routes.

5 (b) Truck and semitrailer or trailer combinations: 65 feet,
6 except that a person may operate a truck and semitrailer or
7 trailer designed and used to transport saw logs, pulpwood, and
8 tree length poles that does not exceed an overall length of 70
9 feet or a crib vehicle and semitrailer or trailer designed and
10 used to transport saw logs that does not exceed an overall length
11 of 75 feet. A crib vehicle and semitrailer or trailer designed to
12 and used to transport saw logs shall not exceed a gross vehicle
13 weight of ~~164,000~~ 120,000 pounds. A person may operate a truck
14 tractor and semitrailer designed and used to transport saw logs,
15 pulpwood, and tree length wooden poles with a load overhang to
16 the rear of the semitrailer which does not exceed 6 feet if the
17 semitrailer does not exceed 50 feet in length.

18 (c) Notwithstanding subsection (4)(d), a truck tractor with
19 a log slasher unit and a log saw unit: no overall limit if the
20 length of each unit does not exceed 28-1/2 feet, or the overall
21 length of the log slasher unit and the log saw unit, as measured
22 from the front of the first towed unit to the rear of the second
23 towed unit while the units are coupled together, does not exceed
24 58 feet. The coupling devices of the truck tractor and units set
25 forth in this subdivision shall meet the requirements established
26 under the motor carrier safety act of 1963, 1963 PA 181, MCL
27 480.11 to 480.25.

(d) Truck tractor and 2 semitrailers, or truck tractor, semitrailer, and trailer combinations: no overall length limit, if the length of each semitrailer or trailer does not exceed 28-1/2 feet each, or the overall length of the semitrailer and trailer, or 2 semitrailers as measured from the front of the first towed unit to the rear of the second towed unit while the units are coupled together does not exceed 58 feet.

(e) More than 1 motor vehicle, wholly or partially assembled, in combination, utilizing 1 tow bar or 3 saddle mounts with full mount mechanisms and utilizing the motive power of 1 of the vehicles in combination: 75 feet.

(f) Truck tractor and lowboy semitrailer combinations: no maximum overall length, if the lowboy semitrailer does not exceed 59 feet, except as otherwise permitted under this subdivision. A lowboy semitrailer wheelbase shall not exceed 55 feet as measured from the kingpin coupling to the center of the rear axle. A lowboy semitrailer more than 59 feet in length shall not operate with more than any combination of 4 axles on the lowboy unless an oversized load permit is issued by the state transportation department or a local authority with respect to highways under its jurisdiction. As used in this subdivision, "lowboy semitrailer" means a flatbed semitrailer with a depressed section that has the specific purpose of being lowered and raised for loading and unloading.

(4) The following combinations and movements are prohibited:

(a) A truck shall not haul more than 1 trailer or semitrailer, and a truck tractor shall not haul more than 2

1 semitrailers or 1 semitrailer and 1 trailer in combination at any
2 1 time, except that a farm tractor may haul 2 wagons or trailers,
3 or garbage and refuse haulers may, during daylight hours, haul up
4 to 4 trailers for garbage and refuse collection purposes, not
5 exceeding in any combination a total length of 55 feet and at a
6 speed limit not to exceed 15 miles per hour.

7 (b) A combination of vehicles or a vehicle shall not have
8 more than 11 axles, except when operating under a valid permit
9 issued by the state transportation department or a local
10 authority with respect to a highway under its jurisdiction.

11 (c) Any combination of vehicles not specifically authorized
12 under this section is prohibited.

13 (d) Except as provided in subsection (3)(c), a combination
14 of 2 semitrailers pulled by a truck tractor, unless each
15 semitrailer uses a fifth wheel connecting assembly that conforms
16 to the requirements of the motor carrier safety act of 1963, 1963
17 PA 181, MCL 480.11 to 480.25.

18 (e) A vehicle or a combination of vehicles shall not carry a
19 load extending more than 3 feet beyond the front of the lead
20 vehicle.

21 (f) A vehicle described in subsections (2)(e) and (3)(e)
22 employing triple saddle mounts unless all wheels that are in
23 contact with the roadway have operating brakes.

24 (5) All combinations of vehicles under this section shall
25 employ connecting assemblies and lighting devices that are in
26 compliance with the motor carrier safety act of 1963, 1963 PA
27 181, MCL 480.11 to 480.25.

(6) The total gross weight of a truck tractor, semitrailer, and trailer combination or a truck tractor and 2 semitrailers combination that exceeds 59 feet in length shall not exceed a ratio of 400 pounds per engine net horsepower delivered to clutch or its equivalent specified in the handbook published by the ~~society of automotive engineers, inc.~~ **SOCIETY OF AUTOMOTIVE ENGINEERS, INC.** (SAE), 1977 edition.

(7) A person who violates this section is responsible for a civil infraction. The owner of the vehicle may be charged with a violation of this section.

(8) The provisions in subsections (2)(a) and (3)(b) prescribing the length of a crib vehicle on which logs are loaded lengthwise do not apply unless 23 USC 127(d) is amended to allow crib vehicles carrying logs to be loaded as described in this section.

(9) As used in this section:

(a) "Designated highway" means a highway approved by the state transportation department or a local authority with respect to a highway under its jurisdiction.

(b) "Length" means the total length of a vehicle, or combination of vehicles, including any load the vehicle is carrying. Length does not include devices described in 23 CFR 658.16 and 23 CFR part 658, appendix d, 23 CFR 658.16 and 23 CFR part 658, appendix d, as on file with the secretary of state are adopted by reference. A safety or energy conservation device shall be excluded from a determination of length only if it is not designed or used for the carrying of cargo, freight, or

1 equipment. Semitrailers and trailers shall be measured from the
2 front vertical plane of the foremost transverse load supporting
3 structure to the rearmost transverse load supporting structure.
4 Vehicle components not excluded by law shall be included in the
5 measurement of the length, height, and width of the vehicle.

6 (c) "Stinger-steered combinations" means a truck tractor and
7 semitrailer combination in which the fifth wheel is located on a
8 drop frame located behind and below the rearmost axle of the
9 power unit.

10 Sec. 722. (1) Except as otherwise provided in this section,
11 the maximum axle load shall not exceed the number of pounds
12 designated in the following provisions that prescribe the
13 distance between axles:

14 (a) If the axle spacing is 9 feet or more between axles, the
15 maximum axle load shall not exceed ~~18,000~~ 20,000 pounds for
16 vehicles equipped with high pressure pneumatic or balloon tires.

17 (b) If the axle spacing is less than 9 feet between 2 axles
18 but more than 3-1/2 feet, the maximum axle load shall not exceed
19 ~~13,000~~ 20,000 pounds for high pressure pneumatic or balloon
20 tires.

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

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

25 (2) When normal loading is in effect, the state
26 transportation department, or a local authority with respect to
27 highways under its jurisdiction, may designate certain highways,

1 or sections of those highways, where bridges and road surfaces
2 are adequate for heavier loading, and revise a designation as
3 needed, on which the maximum tandem axle assembly loading shall
4 not exceed 16,000 pounds for any axle of the assembly, if there
5 is no other axle within 9 feet of any axle of the assembly.

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

17 (4) Notwithstanding subsection (3), on a combination of
18 truck tractor and semitrailer having not more than 5 axles, 2
19 consecutive sets of tandem axles may carry a gross permissible
20 weight of not to exceed ~~17,000~~ 20,000 pounds on any axle of the
21 tandem axles if there is no other axle within 9 feet of any axle
22 of the tandem axles and if the first and last axles of the
23 consecutive sets of tandem axles are not less than 36 feet apart
24 and the gross vehicle weight does not exceed 80,000 pounds to
25 pick up and deliver agricultural commodities between the national
26 truck network or special designated highways and any other
27 highway. This subsection is not subject to the maximum axle loads

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

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

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

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

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

23 (d) Any other specific conditions agreed to between the
24 parties.

25 (6) The seasonal reductions described under subsection (8)
26 to the loading maximums and gross vehicle weight requirements of
27 subsection (12) do not apply to public utility vehicles under the

1 following circumstances:

2 (a) For emergency public utility work on restricted roads,
3 as follows:

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

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

15 (b) For nonemergency public utility work on restricted
16 roads, as follows:

17 (i) If the county road commission requires, the public
18 utility or its subcontractor shall apply to the county road
19 commission annually for a seasonal truck permit for roads under
20 its authority before seasonal weight restrictions are effective.
21 The county road commission shall issue a seasonal truck permit
22 for each public utility vehicle or vehicle configuration the
23 public utility or subcontractor anticipates will be utilized for
24 nonemergency public utility work. The county road commission may
25 charge a fee for a seasonal truck permit that does not exceed the
26 administrative costs incurred for the permit. The seasonal truck
27 permit shall contain all of the following:

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

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

6 (C) A requirement that travel on restricted roads during
7 weight restrictions will be minimized and only utilized when
8 necessary to perform public utility work using the public utility
9 vehicle or vehicle configuration and that nonrestricted roads
10 shall be used for travel when available and for routine travel.

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

14 (E) A requirement that a subcontractor vehicle or vehicle
15 configuration shall display signage on the outside of the vehicle
16 to identify the vehicle as operating on behalf of the public
17 utility.

18 (ii) If the county road commission requires notification, the
19 county road commission shall provide a notification application
20 for the public utility or its subcontractor to use when
21 requesting access to operate on restricted roads and the public
22 utility or its subcontractor shall provide notification to the
23 county road commission, via facsimile or electronically, not
24 later than 24 hours before the time of the intended travel. A
25 subcontractor using a vehicle on a restricted road shall have a
26 copy of any notification provided to a county road commission in
27 the subcontractor's possession while performing the relevant

1 nonemergency work. Notwithstanding this subsection or an
2 agreement under this subsection, if the county road commission
3 determines that the condition of a particular road under its
4 jurisdiction makes it unusable, the county road commission may
5 deny access to all or any part of that road. The denial shall be
6 made and communicated via facsimile or electronically to the
7 public utility or its subcontractor within 24 hours after
8 receiving notification that the public utility or subcontractors
9 intends to perform nonemergency work that requires use of that
10 road. Any notification that is not disapproved within 24 hours
11 after the notice is received by the county road commission is
12 considered approved. The notification application required under
13 this subparagraph may include all of the following information:

14 (A) The address or location of the nonemergency work.

15 (B) The date or dates of the nonemergency work.

16 (C) The route to be taken to the nonemergency work site.

17 (D) The restricted road or roads intended to be traveled
18 upon to the nonemergency work site or sites.

19 (E) In the case of a subcontractor, the utility on whose
20 behalf the subcontractor is performing services.

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

25 (8) Except as provided in this subsection and subsection

26 (9), during the months of March, April, and May in each year, the
27 maximum axle load allowable on concrete pavements or pavements

1 with a concrete base is reduced by 25% from the maximum axle load
2 as specified in this chapter, and the maximum axle loads
3 allowable on all other types of roads during these months are
4 reduced by 35% from the maximum axle loads as specified. The
5 maximum wheel load shall not exceed 525 pounds per inch of tire
6 width on concrete and concrete base or 450 pounds per inch of
7 tire width on all other roads during the period the seasonal road
8 restrictions are in effect. Subject to subsection (5), this
9 subsection does not apply to vehicles transporting agricultural
10 commodities or, subject to subsection (6), public utility
11 vehicles on a highway, road, or street under the jurisdiction of
12 a local road agency. In addition, this subsection does not apply
13 to a vehicle delivering propane fuel to a residence if the
14 vehicle's propane tank is filled to not more than 50% of its
15 capacity and the vehicle is traveling at not more than 35 miles
16 per hour. The state transportation department and each local
17 authority with highways and streets under its jurisdiction to
18 which the seasonal restrictions prescribed under this subsection
19 apply shall post all of the following information on the homepage
20 of its website or, if a local authority does not have a website,
21 then on the website of a statewide road association of which it
22 is a member:

23 (a) The dates when the seasonal restrictions are in effect.

24 (b) The names of the highways and streets and portions of
25 highways and streets to which the seasonal restrictions apply.

26 (9) The state transportation department for roads under its
27 jurisdiction and a county road commission for roads under its

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

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

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

$$W=500[(LN)/(N-1)+12N+36]$$

where W = overall gross weight on a group of 2 or more consecutive axles to the nearest 500 pounds, L = distance in feet between the extreme of a group of 2 or more consecutive axles, and N = number of axles in the group under consideration; except that 2 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the first and last axles of the consecutive

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

17 (13) The axle loading maximums under subsections (1), (2),
18 (3), and (4) are increased by 10% for vehicles transporting
19 agricultural commodities or raw timber, excluding farm equipment
20 and fuel, from the place of harvest or farm storage to the first
21 point of delivery on a road in this state. However, the axle
22 loading maximums as increased under this subsection do not alter
23 the gross vehicle weight restrictions set forth in this act. This
24 subsection does not apply to either of the following:

25 (a) A vehicle utilizing an interstate highway.

26 (b) A vehicle utilizing a road that is subject to seasonal
27 weight restrictions under subsection (8) during the time that the

1 seasonal weight restrictions are in effect.

2 (14) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
3 THE TOTAL GROSS WEIGHT OF A VEHICLE SHALL NOT EXCEED 120,000
4 POUNDS.

5 (15) ~~(14)~~—As used in this section:

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 does
15 not include trees or lumber.

16 (b) "Emergency public utility work" means work performed to
17 restore public utility service or to eliminate a danger to the
18 public due to a natural disaster, an act of God, or an emergency
19 situation, whether or not a public official has declared an
20 emergency.

21 (c) "Farm storage" means any of the following:

22 (i) An edifice, silo, tank, bin, crib, interstice, or
23 protected enclosed structure, or more than 1 edifice, silo, tank,
24 bin, crib, interstice, or protected enclosed structure located
25 contiguous to each other.

26 (ii) An open environment used for the purpose of temporarily
27 storing a crop.

1 (d) "Public utility" means a public utility under the
2 jurisdiction of the public service commission or a transmission
3 company.

4 (e) "Public utility vehicle" means a vehicle owned or
5 operated by a public utility or operated by a subcontractor on
6 behalf of a public utility.

7 (f) "Transmission company" means either an affiliated
8 transmission company or an independent transmission company as
9 those terms are defined in section 2 of the electric transmission
10 line certification act, 1995 PA 30, MCL 460.562.

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.