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BILL



ANALYSIS

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Senate Bill 396 (as introduced 5-23-17)  
Sponsor: Senator Tom Casperson  
Committee: Transportation

Date Completed: 9-6-17

## **CONTENT**

**The bill would amend the Michigan Vehicle Code to do the following:**

- **Allow a person to operate a forestry or forestry harvest vehicle on the shoulder of a highway if that vehicle were equipped with a slow-moving vehicle emblem.**
- **Revise the time during which seasonal load restrictions on certain roads or pavements are in effect, and distinguish between the Upper Peninsula and the Lower Peninsula.**
- **Create an exception to the seasonal load restrictions for a vehicle transporting forest products or forest or forest harvestry equipment on a gravel road, and allow a county road commission to require such a vehicle to obtain a bond based on miles traveled.**
- **Allow a jurisdictional authority to issue a special permit authorizing the highway operation of a vehicle that was delivering new or used machinery as part of a sale of that machinery.**

The bill would take effect 90 days after its enactment.

### Seasonal Maximum Axle Load Restrictions

The Code prescribes maximum axle loads and gross vehicle weights for various configurations of vehicles. During the months of March, April, and May, the maximum axle load allowable on concrete pavements or pavements with a concrete base must be reduced by 25% from the specified maximum load, and by 35% on all other types of roads. The bill would amend these provisions.

Under the bill, for a total of not more than 35 days during the months of February, March, April, and May in each year, the maximum axle load allowable on concrete pavements or pavements with a concreted base located in the Lower Peninsula would have to be reduced by 25% from the specified maximum load, and by 35% on all other types of roads located in the Lower Peninsula. The bill proposes the same for the Upper Peninsula, but subject to a limit of 60 days, instead of 35. The 35- and 60-day periods would not have to be consecutive.

Under the Code, the Michigan Department of Transportation and each local authority with highways and streets under its jurisdiction to which seasonal restrictions apply must post all of the following information on the homepage of its website or, if a local authority does not have a website, then on the website of a statewide road association of which it is a member:

- The dates when the seasonal restrictions are in effect.
- The names of the highways and streets and portions of highways and streets to which the seasonal restrictions apply.

The bill would require those entities to post the information at least 48 hours before the date the seasonal restrictions began.

### Bond Requirement

The bill specifies that the seasonal weight reductions would not apply to a vehicle transporting forest products or forest harvesting equipment on a gravel road. When the seasonal reductions were in effect, a county road commission could require such a vehicle to obtain a bond in an amount up to \$2,000 per mile for each mile of gravel road under the jurisdiction of that county traveled upon by that vehicle. A person transporting the products or equipment could use a lowboy semitrailer to transport equipment when the seasonal reductions were in effect.

### Special Permits

Section 725 of the Code contains provisions regarding the issuance of a special permit by a jurisdictional authority to operate on or remove from a highway maintained by that authority a vehicle or combination of vehicles that adheres to certain criteria. A jurisdictional authority may issue a special permit, and charge a fee that does not exceed the administrative costs incurred, authorizing the operation of the following on a highway:

- Traction engines or tractors having movable tracks with transverse corrugations on the periphery of those moveable tracks on farm tractors.
- Other farm machinery otherwise prohibited under Chapter 6 (Obedience to and Effect of Traffic Laws) of the Code.
- A vehicle of a size or weight otherwise prohibited under Chapter 6 that is hauling farm machinery to or from a farm.

The bill would include in that list a vehicle that was delivering new or used machinery as part of a sale of that machinery. This would apply regardless of whether seasonal weight restrictions were applicable. Not more than 10 permits per year could be granted to a person.

The bill also specifies that none of the seasonal weight restriction provisions would affect the validity of a permit issued under Section 725.

MCL 257.722 et al.

Legislative Analyst: Drew Krogulecki

### **FISCAL IMPACT**

The bill would not have a fiscal impact on State government.

The bill would have an indefinite impact on counties with gravel roads used by the forestry industry. If forestry vehicles operating on gravel roads were exempt from the seasonal weight restrictions, rural counties with an active forestry industry could see accelerated wear on those roads. Depending upon the severity of that erosion, repair costs for counties could vary from a few thousand to tens of thousands of dollars. It is also likely that the counties would be unable to plan for these additional costs. Although the bill includes language permitting county road commissions to require a bond of \$2,000 per mile traveled by unrestricted forestry vehicles, the bill did not include language outlining the consequences for nonpayment of this bond.

Fiscal Analyst: Michael Siracuse

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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.