

SENATE BILL No. 915

March 21, 2018, Introduced by Senator CASPERSON and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 717 and 722 (MCL 257.717 and 257.722), section
717 as amended by 2014 PA 391 and section 722 as amended by 2017 PA
80.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 717. (1) The total outside width of a vehicle or the load
2 on a vehicle shall not exceed 96 inches, except as otherwise
3 provided in this section.

4 (2) A person may operate or move an implement of husbandry of
5 any width on a highway as required, designed, and intended for
6 farming operations, including the movement of implements of
7 husbandry being driven or towed and not hauled on a trailer,
8 without obtaining a special permit for an excessively wide vehicle

1 or load under section 725. The operation or movement of the
2 implement of husbandry shall be in a manner so as to minimize the
3 interruption of traffic flow. A person shall not operate or move an
4 implement of husbandry to the left of the center of the roadway
5 from a half hour after sunset to a half hour before sunrise, under
6 the conditions specified in section 639, or at any time visibility
7 is substantially diminished due to weather conditions. A person
8 operating or moving an implement of husbandry shall follow all
9 traffic regulations.

10 (3) The total outside width of the load of a vehicle hauling
11 concrete pipe, ferrous pipe, agricultural products, or unprocessed
12 logs, pulpwood, or wood bolts shall not exceed 108 inches.

13 (4) Except as provided in subsections (2) and (5) and this
14 subsection, if a vehicle that is equipped with pneumatic tires is
15 operated on a highway, the maximum width from the outside of 1
16 wheel and tire to the outside of the opposite wheel and tire shall
17 not exceed 102 inches, and the outside width of the body of the
18 vehicle or the load on the vehicle shall not exceed 96 inches.
19 However, a truck and trailer or a tractor and semitrailer
20 combination hauling pulpwood or unprocessed logs may be operated
21 with a maximum width of not to exceed 108 inches in accordance with
22 a special permit issued under section 725.

23 (5) The total outside body width of a **SCHOOL BUS, A** bus, a
24 trailer coach, a trailer, a semitrailer, a truck camper, or a motor
25 home shall not exceed 102 inches. However, an appurtenance of a
26 **SCHOOL BUS, A** trailer coach, a truck camper, or a motor home that
27 extends not more than 6 inches beyond the total outside body width

1 is not a violation of this section.

2 (6) A vehicle shall not extend beyond the center line of a
3 state trunk line highway except when authorized by law. Except as
4 provided in subsection (2), if the width of the vehicle makes it
5 impossible to stay away from the center line, a permit shall be
6 obtained under section 725.

7 (7) The director of the state transportation department, a
8 county road commission, or a local authority may designate a
9 highway under the agency's jurisdiction as a highway on which a
10 person may operate a vehicle or vehicle combination that is not
11 more than 102 inches in width, including load, the operation of
12 which would otherwise be prohibited by this section. The agency
13 making the designation may require that the owner or lessee of the
14 vehicle or of each vehicle in the vehicle combination secure a
15 permit before operating the vehicle or vehicle combination. This
16 subsection does not restrict the issuance of a special permit under
17 section 725 for the operation of a vehicle or vehicle combination.
18 This subsection does not permit the operation of a vehicle or
19 vehicle combination described in section 722a carrying a load
20 described in that section if the operation would otherwise result
21 in a violation of that section.

22 (8) The director of the state transportation department, a
23 county road commission, or a local authority may issue a special
24 permit under section 725 to a person operating a vehicle or vehicle
25 combination if all of the following are met:

26 (a) The vehicle or vehicle combination, including load, is not
27 more than 106 inches in width.

(b) The vehicle or vehicle combination is used solely to move new motor vehicles or parts or components of new motor vehicles between facilities that meet all of the following:

(i) New motor vehicles or parts or components of new motor vehicles are manufactured or assembled in the facilities.

(ii) The facilities are located within 10 miles of each other.

(iii) The facilities are located within the city limits of the same city and the city is located in a county that has a population of more than 400,000 and less than 500,000 according to the most recent federal decennial census.

(c) The special permit and any renewals are each issued for a term of 1 year or less.

(9) A person may move or operate a boat lift of any width or an oversized hydraulic boat trailer owned and operated by a marina or watercraft dealer in a commercial boat storage operation on a highway under a multiple trip permit issued on an annual basis as specified under section 725. The operation or movement of the boat lift or trailer shall minimize the interruption of traffic flow. It shall be used exclusively to transport a boat between a place of storage and a marina or in and around a marina. A boat lift or oversized hydraulic boat trailer may be operated, drawn, or towed on a street or highway only when transporting a vessel between a body of water and a place of storage or when traveling empty to or from transporting a vessel. A boat lift shall not be operated on limited access highways. A person moving or operating a boat lift or oversized hydraulic boat trailer shall follow all traffic regulations and shall ensure the route selected has adequate power

1 and utility wire height clearance.

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

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

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

12 (b) If the axle spacing is less than 9 feet between 2 axles
13 but more than 3-1/2 feet, the maximum axle load shall not exceed
14 13,000 pounds for high pressure pneumatic or balloon tires.

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

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

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

27 (3) On a legal combination of vehicles, only 1 tandem axle

assembly is 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 are 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 sets of tandem axles are not less than 36 feet apart and the gross vehicle weight does not exceed 80,000 pounds to pick up and deliver agricultural commodities between the national truck network or special designated highways and any other highway. This subsection is not subject to the maximum axle loads of subsections (1), (2), and (3). For purposes of this subsection, a "tandem axle" means 2 axles spaced more than 40 inches but not more than 96 inches apart or 2 axles spaced more than 3-1/2 feet but less than 9 feet apart. This subsection does not apply during that period when reduced maximum loads are in effect under subsection (8).

(5) The seasonal reductions described under subsection (8) to the loading maximums and gross vehicle weight requirement of

subsection (12) do not apply to a person hauling agricultural commodities if the person who picks up or delivers the agricultural commodity either from a farm or to a farm notifies the county road commission for roads under its authority not less than 48 hours before the pickup or delivery of the time and location of the pickup or delivery. The county road commission shall issue a permit to the person and charge a fee that does not exceed the administrative costs incurred. The permit shall contain all of the following:

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

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

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

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

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

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

(i) If required by the county road commission, the public utility or its subcontractor shall notify the county road commission, as soon as practical, of the location of the emergency public utility work and provide a statement that the vehicles that were used to perform the emergency utility work may have exceeded

1 the loading maximums and gross vehicle weight requirements of
2 subsection (12) as reduced under subsection (8). The notification
3 may be made via facsimile or electronically.

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

7 (b) For nonemergency public utility work on restricted roads,
8 as follows:

9 (i) If the county road commission requires, the public utility
10 or its subcontractor shall apply to the county road commission
11 annually for a seasonal truck permit for roads under its authority
12 before seasonal weight restrictions are effective. The county road
13 commission shall issue a seasonal truck permit for each public
14 utility vehicle or vehicle configuration the public utility or
15 subcontractor anticipates will be utilized for nonemergency public
16 utility work. The county road commission may charge a fee for a
17 seasonal truck permit that does not exceed the administrative costs
18 incurred for the permit. The seasonal truck permit shall contain
19 all of the following:

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

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

25 (C) A requirement that travel on restricted roads during
26 weight restrictions will be minimized and only utilized when
27 necessary to perform public utility work using the public utility

1 vehicle or vehicle configuration and that nonrestricted roads shall
2 be used for travel when available and for routine travel.

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

6 (E) A requirement that a subcontractor vehicle or vehicle
7 configuration shall display signage on the outside of the vehicle
8 to identify the vehicle as operating on behalf of the public
9 utility.

10 (ii) If the county road commission requires notification, the
11 county road commission shall provide a notification application for
12 the public utility or its subcontractor to use when requesting
13 access to operate on restricted roads and the public utility or its
14 subcontractor shall provide notification to the county road
15 commission, via facsimile or electronically, not later than 24
16 hours before the time of the intended travel. A subcontractor using
17 a vehicle on a restricted road shall have a copy of any
18 notification provided to a county road commission in the
19 subcontractor's possession while performing the relevant
20 nonemergency work. Notwithstanding this subsection or an agreement
21 under this subsection, if the county road commission determines
22 that the condition of a particular road under its jurisdiction
23 makes it unusable, the county road commission may deny access to
24 all or any part of that road. The denial shall be made and
25 communicated via facsimile or electronically to the public utility
26 or its subcontractor within 24 hours after receiving notification
27 that the public utility or subcontractors intends to perform

1 nonemergency work that requires use of that road. Any notification
2 that is not disapproved within 24 hours after the notice is
3 received by the county road commission is considered approved. The
4 notification application required under this subparagraph may
5 include all of the following information:

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

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

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

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

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

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

17 (8) Except as provided in this subsection and subsection (9),
18 during the months of March, April, and May in each year, the
19 maximum axle load allowable on concrete pavements or pavements with
20 a concrete base is reduced by 25% from the maximum axle load as
21 specified in this chapter, and the maximum axle loads allowable on
22 all other types of roads during these months are reduced by 35%
23 from the maximum axle loads as specified. The maximum wheel load
24 shall not exceed 525 pounds per inch of tire width on concrete and
25 concrete base or 450 pounds per inch of tire width on all other
26 roads during the period the seasonal road restrictions are in
27 effect. Subject to subsection (5), this subsection does not apply

1 to vehicles transporting agricultural commodities or, subject to
2 subsection (6), public utility vehicles on a highway, road, or
3 street under the jurisdiction of a local road agency, **OR A SCHOOL**
4 **BUS**. In addition, this subsection does not apply to a vehicle
5 delivering propane fuel to a residence if the vehicle's propane
6 tank is filled to not more than 50% of its capacity and the vehicle
7 is traveling at not more than 35 miles per hour. The state
8 transportation department and each local authority with highways
9 and streets under its jurisdiction to which the seasonal
10 restrictions prescribed under this subsection apply shall post all
11 of the following information on the homepage of its website or, if
12 a local authority does not have a website, then on the website of a
13 statewide road association of which it is a member:

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

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

17 (9) The state transportation department for roads under its
18 jurisdiction and a county road commission for roads under its
19 jurisdiction may grant exemptions from seasonal weight restrictions
20 for milk on specified routes when requested in writing. Approval or
21 denial of a request for an exemption shall be given by written
22 notice to the applicant within 30 days after the date of submission
23 of the application. If a request is denied, the written notice
24 shall state the reason for denial and alternate routes for which
25 the permit may be issued. The applicant may appeal to the state
26 transportation commission or the county road commission. These
27 exemptions do not apply on county roads in counties that have

1 negotiated agreements with milk haulers or haulers of other
2 commodities during periods of seasonal load limits before April 14,
3 1993. This subsection does not limit the ability of these counties
4 to continue to negotiate such agreements.

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

12 (11) For the purpose of enforcing this act, the gross vehicle
13 weight of a single vehicle and load or a combination of vehicles
14 and loads shall be determined by weighing individual axles or
15 groups of axles, and the total weight on all the axles shall be the
16 gross vehicle weight. In addition, the gross axle weight shall be
17 determined by weighing individual axles or by weighing a group of
18 axles and dividing the gross weight of the group of axles by the
19 number of axles in the group. For purposes of subsection (12), the
20 overall gross weight on a group of 2 or more axles shall be
21 determined by weighing individual axles or several axles, and the
22 total weight of all the axles in the group shall be the overall
23 gross weight of the group.

24 (12) The loading maximum in this subsection applies to
25 interstate highways, and the state transportation department, or a
26 local authority with respect to highways under its jurisdiction,
27 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 sets of tandem axles are not less than 36 feet apart. The gross vehicle weight shall not exceed 80,000 pounds including all enforcement tolerances. Except for 5 axle truck tractor, semitrailer combinations having 2 consecutive sets of tandem axles, vehicles having a gross weight in excess of 80,000 pounds or in excess of the vehicle gross weight determined by application of the formula in this subsection are subject to the maximum axle loads of subsections (1), (2), and (3). As used in this subsection, "tandem axle weight" means the total weight transmitted to the road by 2 or more consecutive axles, the centers of which may be included between parallel transverse vertical planes spaced more than 40

1 inches but not more than 96 inches apart, extending across the full
2 width of the vehicle. Except as otherwise provided in this section,
3 vehicles transporting agricultural commodities shall have weight
4 load maximums as set forth in this subsection.

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

13 (a) A vehicle utilizing an interstate highway.

14 (b) A vehicle utilizing a road that is subject to seasonal
15 weight restrictions under subsection (8) during the time that the
16 seasonal weight restrictions are in effect.

17 (14) Notwithstanding any other provision of this section, a
18 vehicle that has a gross weight of 80,000 pounds or less and that
19 is operated by an engine that is fueled wholly or partially by
20 compressed or liquefied natural gas may exceed the axle loading
21 maximums under subsections (1), (2), (3), and (4) and the weight
22 load maximums under subsection (12) by an amount equal to the
23 difference between the weight of the vehicle attributable to the
24 natural gas tank and fueling system carried by that vehicle and the
25 weight of a comparable diesel tank and fueling system. The amount
26 by which a vehicle described in this subsection may exceed the axle
27 loading maximums under subsections (1), (2), (3), and (4) and the

1 weight load maximums under subsection (12) shall not exceed 2,000
2 pounds.

3 (15) As used in this section:

4 (a) "Agricultural commodities" means those plants and animals
5 useful to human beings produced by agriculture and includes, but is
6 not limited to, forages and sod crops, grains and feed crops, field
7 crops, dairy and dairy products, poultry and poultry products,
8 cervidae, livestock, including breeding and grazing, equine, fish,
9 and other aquacultural products, bees and bee products, berries,
10 herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock,
11 mushrooms, fertilizer, livestock bedding, farming equipment, fuel
12 for agricultural use, and maple sap. Agricultural commodities do
13 not include trees or lumber.

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

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

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

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

26 (d) "Public utility" means a public utility under the
27 jurisdiction of the public service commission or a transmission

1 company.

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

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

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