

Legislative Analysis



EXEMPTIONS FOR THOSE PROVIDING ASSISTANCE IN DECLARED STATE OF DISASTER OR EMERGENCY

Phone: (517) 373-8080
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House Bill 4343 as reported from committee
Sponsor: Rep. Ken Borton

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4344 as reported from committee
Sponsor: Rep. Dave Prestin

Committee: Transportation and Infrastructure
Complete to 5-15-25

SUMMARY:

House Bill 4343 would amend the Michigan Vehicle Code to provide that seasonal reductions in certain maximum axle weights and gross vehicle weight maximums under the code (see “Background,” below) do not apply to vehicles traveling to assist with or directly assisting with a disaster or emergency during a state of disaster or state of emergency declared under the Emergency Management Act.

MCL 257.722

House Bill 4344 would amend the Motor Carrier Safety Act to provide that 49 CFR 395, which prescribes maximum hours of service for drivers of certain commercial motor vehicles,¹ does not apply to a vehicle traveling to assist with or directly assisting with a disaster or emergency declared under the Emergency Management Act.

MCL 480.11a

BACKGROUND:

2025 executive orders

Beginning March 28, 2025, an extensive winter ice storm left tens of thousands of residents in northern Michigan without power, in addition to damaging homes and businesses and making travel on many roads impossible. Among other things, this devastation led to a fuel shortage in the immediately affected area and beyond, which not only hampered recovery efforts but also meant, for example, that some homes and businesses had no heat.

In response to the storm, the governor issued two executive orders to declare a state of emergency under the Emergency Management Act in the counties of Alcona, Alpena, Antrim, Charlevoix, Cheboygan, Crawford, Emmet, Mackinac, Montmorency, Oscoda, Otsego, and Presque Isle.²

¹ <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-395>

² EO 2025-2 (<https://www.legislature.mi.gov/documents/2025-2026/executiveorder/pdf/2025-EO-02.pdf>), which was amended by EO 2025-3 (<https://www.legislature.mi.gov/documents/2025-2026/executiveorder/pdf/2025-EO-03.pdf>).

In addition, to address the fuel shortage in the affected areas, the governor issued two further executive orders³ that did both of the following until the energy emergency abated (or through April 10, 2025, at the latest):

- Suspended all state load, size, and weight restrictions (including the seasonal frost law reductions of those limitations) for “the transportation and delivery of gasoline, distillate, propane, and other necessary equipment to address the transportation and supply needs arising from the current energy emergency.” (House Bill 4343 would automatically suspend seasonal load, size, and weight restrictions for vehicles traveling to assist with or directly assisting with a disaster or emergency during a declared state of disaster or state of emergency. Note that, under the bill, vehicles traveling to assist with or directly assisting with a disaster or emergency during a state of disaster or state of emergency would still be subject to normal weight or load maximums.)
- Suspended hours-of-service limitations for “motor carriers and drivers transporting gasoline, distillate, propane, and other necessary equipment to address the transportation and supply needs arising from the current energy emergency.” (House Bill 4344 would automatically suspend those restrictions for vehicles traveling to assist with or directly assisting with a disaster or emergency during a declared state of disaster or state of emergency.)

The state of energy emergency under the latter executive orders applied to a larger geographic area than the state of emergency declared in the earlier executive orders. The state of energy emergency included the entire Upper Peninsula in addition to the northern Lower Peninsula counties specified in the first two orders.

Note that the bills would apply *only* to a state of emergency or state of disaster declared under the Emergency Management Act. The authority to declare a state of energy emergency, as described above, is provided to the governor under a different act, 1982 PA 191.⁴

Frost law

Sections 716 through 726c of the Michigan Vehicle Code govern the size, weight, and load of vehicles and vehicle combinations operating on public highways. In general, these sections establish standard or “normal” size, weight, and load maximums; provide specific exceptions to the standard maximums; and provide for the enforcement of the size, weight, and load maximums, including penalties for violations.

Section 716 of the code includes general size, weight, load provisions, including provisions specific to wreckers, while section 722 establishes specific weight or load maximums. Section 722(8) provides for lower maximum axle load limits during the months of March, April, and May of each year. These lower limits are referred to as the “frost law.”

FISCAL IMPACT:

The bills would have no apparent direct fiscal impact on the state or local units of government.

³ EO 2025-4 (<https://www.legislature.mi.gov/documents/2025-2026/executiveorder/pdf/2025-EO-04.pdf>), which was amended by EO 2025-5 (<https://www.legislature.mi.gov/documents/2025-2026/executiveorder/pdf/2025-EO-05.pdf>).

⁴ <https://www.legislature.mi.gov/documents/mcl/pdf/MCL-ACT-191-OF-1982.pdf>

POSITIONS:

A representative of the Michigan Propane and Gas Association testified in support of the bills. (5-6-25)

The following entities indicated support for the bills:

- County Road Association (5-6-25)
- Michigan Electric Cooperative Association (5-6-25)
- Michigan Petroleum Association (5-13-25)
- Michigan Trucking Association (5-6-25)

The Department of State indicated a neutral position on the bills. (5-13-25)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.