

**SUBSTITUTE FOR  
HOUSE BILL NO. 4028**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 722 (MCL 257.722), as amended by 2018 PA 274.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 722. (1) Except as otherwise provided in this section,  
2 the maximum axle load ~~shall~~**must** not exceed the number of pounds  
3 designated in the following provisions that prescribe the distance  
4 between axles:

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

8           (b) If the axle spacing is less than 9 feet between 2 axles  
9 but more than 3-1/2 feet, the maximum axle load ~~shall~~**must** not



1 exceed 13,000 pounds for high pressure pneumatic or balloon tires.

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

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

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

14 (3) A combination of vehicles may operate on designated  
15 highways with not more than 1 tandem axle assembly having a gross  
16 weight of 16,000 pounds per axle, if there is no other axle within  
17 9 feet of the assembly. On a combination of truck tractor and  
18 semitrailer having not more than 5 axles, 2 consecutive tandem axle  
19 assemblies may operate on designated highways at a gross  
20 permissible weight of 16,000 pounds per axle, if there is no other  
21 axle within 9 feet of any axle of either assembly.

22 (4) Notwithstanding subsection (3), on a combination of truck  
23 tractor and semitrailer having not more than 5 axles, 2 consecutive  
24 sets of tandem axles may carry a gross permissible weight of not to  
25 exceed 17,000 pounds on any axle of the tandem axles if there is no  
26 other axle within 9 feet of any axle of the tandem axles and if the  
27 first and last axles of the consecutive sets of tandem axles are  
28 not less than 36 feet apart and the gross vehicle weight does not  
29 exceed 80,000 pounds to pick up and deliver agricultural



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

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

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

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

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

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

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



1 under the following circumstances:

2 (a) For emergency public utility work **or to remove an accident**  
 3 **or a disabled or impounded vehicle** on restricted roads, as follows:

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

14 (ii) The public utility vehicle **or wrecker** travels to and from  
 15 the site of the emergency public utility work **or to remove an**  
 16 **accident or a disabled or impounded vehicle** while on a restricted  
 17 road at a speed not greater than 35 miles per hour.

18 (b) For nonemergency public utility work on restricted roads,  
 19 as follows:

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



1 contain all of the following:

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

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

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

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

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

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



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

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

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

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

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

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

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

24 (8) Except as provided in this subsection and subsection (9),  
25 during the months of March, April, and May in each year, the  
26 maximum axle load allowable on concrete pavements or pavements with  
27 a concrete base is reduced by 25% from the maximum axle load as  
28 specified in this chapter, and the maximum axle loads allowable on  
29 all other types of roads during these months are reduced by 35%



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

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

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

22 (9) The state transportation department for roads under its  
23 jurisdiction and a county road commission for roads under its  
24 jurisdiction may grant exemptions from seasonal weight restrictions  
25 for milk on specified routes when requested in writing. Approval or  
26 denial of a request for an exemption ~~shall~~**must** be given by written  
27 notice to the applicant within 30 days after the date of submission  
28 of the application. If a request is denied, the written notice  
29 ~~shall~~**must** state the reason for denial and alternate routes for



1 which the permit may be issued. The applicant may appeal to the  
2 state transportation commission or the county road commission.  
3 These exemptions do not apply on county roads in counties that have  
4 negotiated agreements with milk haulers or haulers of other  
5 commodities during periods of seasonal load limits before April 14,  
6 1993. This subsection does not limit the ability of these counties  
7 to continue to negotiate such agreements.

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

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

23 (12), the overall gross weight on a group of 2 or more axles ~~shall~~  
24 **must** be determined by weighing individual axles or several axles,  
25 and the total weight of all the axles in the group ~~shall be~~**is** the  
26 overall gross weight of the group.

27 (12) The loading maximum in this subsection applies to  
28 interstate highways, and the state transportation department, or a  
29 local authority with respect to highways under its jurisdiction,





1 may designate a highway, or a section of a highway, for the  
 2 operation of vehicles having a gross vehicle weight of not more  
 3 than 80,000 pounds that are subject to the following load maximums:

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

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

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

10 
$$W=500[(LN)/(N-1)+12N+36]$$

11 where W = overall gross weight on a group of 2 or more  
 12 consecutive axles to the nearest 500 pounds, L = distance in feet  
 13 between the extreme of a group of 2 or more consecutive axles, and  
 14 N = number of axles in the group under consideration; except that 2  
 15 consecutive sets of tandem axles may carry a gross load of 34,000  
 16 pounds each if the first and last axles of the consecutive sets of  
 17 tandem axles are not less than 36 feet apart. The gross vehicle  
 18 weight ~~shall~~**must** not exceed 80,000 pounds including all  
 19 enforcement tolerances. Except for 5 axle truck tractor,  
 20 semitrailer combinations having 2 consecutive sets of tandem axles,  
 21 vehicles having a gross weight in excess of 80,000 pounds or in  
 22 excess of the vehicle gross weight determined by application of the  
 23 formula in this subsection are subject to the maximum axle loads of  
 24 subsections (1), (2), and (3). As used in this subsection, "tandem  
 25 axle weight" means the total weight transmitted to the road by 2 or  
 26 more consecutive axles, the centers of which may be included  
 27 between parallel transverse vertical planes spaced more than 40  
 28 inches but not more than 96 inches apart, extending across the full  
 29 width of the vehicle. Except as otherwise provided in this section,



1 vehicles transporting agricultural commodities ~~shall~~**must** have  
2 weight load maximums as set forth in this subsection.

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

11 (a) A vehicle utilizing an interstate highway.

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

15 (14) Notwithstanding any other provision of this section, a  
16 vehicle that has a gross weight of 80,000 pounds or less and that  
17 is operated by an engine that is fueled wholly or partially by  
18 compressed or liquefied natural gas may exceed the axle loading  
19 maximums under subsections (1), (2), (3), and (4) and the weight  
20 load maximums under subsection (12) by an amount equal to the  
21 difference between the weight of the vehicle attributable to the  
22 natural gas tank and fueling system carried by that vehicle and the  
23 weight of a comparable diesel tank and fueling system. The amount  
24 by which a vehicle described in this subsection may exceed the axle  
25 loading maximums under subsections (1), (2), (3), and (4) and the  
26 weight load maximums under subsection (12) ~~shall~~**must** not exceed  
27 2,000 pounds.

28 (15) As used in this section:

29 (a) "Agricultural commodities" means those plants and animals



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

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

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

16 (i) An edifice, silo, tank, bin, crib, interstice, or protected  
17 enclosed structure, or more than 1 edifice, silo, tank, bin, crib,  
18 interstice, or protected enclosed structure located contiguous to  
19 each other.

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

22 (d) "Public utility" means a public utility under the  
23 jurisdiction of the public service commission or a transmission  
24 company.

25 (e) "Public utility vehicle" means a vehicle owned or operated  
26 by a public utility or operated by a subcontractor on behalf of a  
27 public utility.

28 (f) "Transmission company" means either an affiliated  
29 transmission company or an independent transmission company as



1 those terms are defined in section 2 of the electric transmission  
2 line certification act, 1995 PA 30, MCL 460.562.

