

# HOUSE BILL No. 6241

September 29, 2004, Introduced by Reps. Gaffney, Hune and Ward and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 3, 67, 67a, and 722 (MCL 257.3, 257.67, 257.67a, and 257.722), section 67a as amended by 1988 PA 346 and section 722 as amended by 2002 PA 41.

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

1       Sec. 3. "Axle" means the common axis of rotation of 1 or  
2 more wheels, whether power driven or freely rotating, ~~and~~  
3 whether in 1 or more segments, and regardless of the number of  
4 wheels carried ~~thereon~~ **on that axis in contact with the road.**

5       Sec. 67. "Tandem axle" means 2 axles spaced more than 3  
6 feet 6 inches and less than 9 feet apart **when attendant wheels**  
7 **are in contact with the road.**

8       Sec. 67a. (1) "Tandem axle assembly" means 2 axles spaced  
9 more than 3 feet 6 inches and less than 9 feet apart, 1 axle in

1 front of the other and ~~so~~ attached to the vehicle ~~wherein~~ so  
2 **that** an attempt is made by **a** connecting mechanism to distribute  
3 the weight equally between the 2 axles **when attendant wheels are**  
4 **in contact with the road.**

5 (2) "Tank vehicle" means ~~any~~ a commercial motor vehicle  
6 that is designed to transport ~~any~~ a liquid or gaseous material  
7 within a tank that is either permanently or temporarily attached  
8 to the vehicle. Tank vehicle does not include a vehicle attached  
9 to a portable tank having a rated capacity less than 1,000  
10 gallons.

11 Sec. 722. (1) The maximum axle load shall not exceed the  
12 number of pounds designated in the following provisions that  
13 prescribe the 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 pounds for vehicles  
16 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 pounds for high pressure pneumatic or balloon tires.

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

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

24 (2) When normal loading is in effect, the state  
25 transportation department, or a local authority with respect to  
26 highways under its jurisdiction, may designate certain highways,  
27 or sections of those highways, where bridges and road surfaces

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

5 (3) On a legal combination of vehicles, only 1 tandem axle  
6 assembly ~~shall be~~ **is** permitted on the designated highways at  
7 the gross permissible weight of 16,000 pounds per axle, if there  
8 is no other axle within 9 feet of any axle of the assembly. ~~—~~  
9 ~~and if no other tandem axle assembly in the combination of~~  
10 ~~vehicles exceeds a gross weight of 13,000 pounds per axle.~~ On a  
11 combination of truck tractor and semitrailer having not more than  
12 5 axles, 2 consecutive tandem axle assemblies ~~shall be~~ **are**  
13 permitted on the designated highways at a gross permissible  
14 weight of 16,000 pounds per axle, if there is no other axle  
15 within 9 feet of any axle of the assembly. **A vehicle equipped**  
16 **with lift axles that has lifted axles when making a turn and**  
17 **lowered axles within a reasonable distance after completing the**  
18 **turn is not in violation of this subsection if it is weighed**  
19 **while the axles are lifted.**

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

1 to pick up and deliver agricultural commodities between the  
2 national truck network or special designated highways and any  
3 other highway. This subsection is not subject to the maximum  
4 axle loads of subsections (1), (2), and (3). For purposes of  
5 this subsection, a "tandem axle" means 2 **load bearing** axles  
6 spaced more than 40 inches but not more than 96 inches apart or 2  
7 **load bearing** axles spaced more than 3-1/2 feet but less than 9  
8 feet apart. This subsection does not apply during that period  
9 when reduced maximum loads are in effect ~~pursuant to~~ **under**  
10 subsection (7). This subsection does not apply after December  
11 31, 2006.

12 (5) The exception to the loading maximums and gross vehicle  
13 weight requirements of subsection (11) under subsection (7) for a  
14 person hauling agricultural commodities or a public utility  
15 vehicle applies only if the person who picks up or delivers the  
16 agricultural commodity either from a farm or to a farm or the  
17 public utility notifies the county road commission for roads  
18 under its authority not less than 48 hours before the pickup or  
19 delivery of the time and location of the pickup or delivery. The  
20 county road commission shall issue a permit to the person or the  
21 public utility and charge a fee that does not exceed the  
22 administrative costs incurred. The permit shall contain the  
23 following:

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

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

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

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

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

8 (7) Except as provided in this subsection and subsection (8),  
9 during the months of March, April, and May in each year, the  
10 maximum axle load allowable on concrete pavements or pavements  
11 with a concrete base shall be reduced by 25% from the maximum  
12 axle load as specified in this chapter, and the maximum axle  
13 loads allowable on all other types of roads during these months  
14 shall be reduced by 35% from the maximum axle loads as  
15 specified. The maximum wheel load shall not exceed 525 pounds  
16 per inch of tire width on concrete and concrete base or 450  
17 pounds per inch of tire width on all other roads during the  
18 period the seasonal road restrictions are in effect. This  
19 subsection does not apply to vehicles transporting agricultural  
20 commodities or public utility vehicles on a highway, road, or  
21 street under the jurisdiction of a local road agency.

22 (8) 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  
25 restrictions for milk on specified routes when requested in  
26 writing. Approval or denial of a request for an exemption shall  
27 be given by written notice to the applicant within 30 days after

1 the date of submission of the application. If a request is  
2 denied, the written notice shall state the reason for denial and  
3 alternate routes for which the permit may be issued. The  
4 applicant ~~shall have~~ **has** the right to appeal to the state  
5 transportation commission or the county road commission. These  
6 exemptions ~~shall~~ **do** not apply on county roads in counties that  
7 have negotiated agreements with milk haulers or haulers of other  
8 commodities during periods of seasonal load limits before April  
9 14, 1993. This subsection does not limit the ability of these  
10 counties to continue to negotiate such agreements.

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

18 (10) For the purpose of enforcement of this act, the gross  
19 vehicle weight of a single vehicle and load, or a combination of  
20 vehicles and loads, shall be determined by weighing individual  
21 axles or groups of axles, and the total weight on all the axles  
22 shall be the gross vehicle weight. In addition, the gross axle  
23 weight shall be determined by weighing individual axles or by  
24 weighing a group of axles and dividing the gross weight of the  
25 group of axles by the number of axles in the group. ~~Pursuant~~  
26 ~~to~~ **Under** subsection (11), the overall gross weight on a group of  
27 2 or more axles shall be determined by weighing individual axles

1 or several axles, and the total weight of all the axles in the  
2 group shall be the overall gross weight of the group.

3 (11) The loading maximum in this subsection applies to  
4 interstate highways, and the state transportation department, or  
5 a local authority with respect to highways under its  
6 jurisdiction, may designate a highway, or a section of a highway,  
7 for the operation of vehicles having a gross vehicle weight of  
8 not more than 80,000 pounds that are subject to the following  
9 load maximums:

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

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

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

$$16 \quad W = 500 \quad \frac{\sqrt{LN} + 12N + 36}{\sqrt{N-1}}$$

17 where W = overall gross weight on a group of 2 or more  
18 consecutive axles to the nearest 500 pounds, L = distance in feet  
19 between the extreme of a group of 2 or more consecutive axles,  
20 and N = number of axles in the group under consideration; except  
21 that 2 consecutive sets of tandem axles may carry a gross load of  
22 34,000 pounds each if the first and last axles of the consecutive  
23 sets of tandem axles are not less than 36 feet apart. The gross  
24 vehicle weight shall not exceed 80,000 pounds including all  
25 enforcement tolerances. Except for 5 axle truck tractor —  
26 semitrailer combinations having 2 consecutive sets of tandem  
27

1 axles, vehicles having a gross weight in excess of 80,000 pounds  
2 or in excess of the vehicle gross weight determined by  
3 application of the formula in this subsection ~~shall be~~ **are**  
4 subject to the maximum axle loads of subsections (1), (2), and  
5 (3). As used in this subsection, "tandem axle weight" means the  
6 total weight transmitted to the road by 2 or more consecutive  
7 axles, the centers of which may be included between parallel  
8 transverse vertical planes spaced more than 40 inches but not  
9 more than 96 inches apart, extending across the full width of the  
10 vehicle. Except as otherwise provided in this section, vehicles  
11 transporting agricultural commodities ~~shall have~~ **are subject to**  
12 weight load maximums as defined in this subsection.

13 (12) As used in this section, "agricultural commodities"  
14 means those plants and animals useful to human beings produced by  
15 agriculture and includes, but is not limited to, forages and sod  
16 crops, grains and feed crops, field crops, dairy and dairy  
17 products, poultry and poultry products, cervidae, livestock,  
18 including breeding and grazing, equine, fish, and other  
19 aquacultural products, bees and bee products, berries, herbs,  
20 fruits, vegetables, flowers, seeds, grasses, nursery stock,  
21 mushrooms, fertilizer, livestock bedding, farming equipment, and  
22 fuel for agricultural use. The term "agricultural commodities"  
23 ~~shall~~ **does** not include trees and lumber.