

SENATE BILL No. 1309

June 17, 2004, Introduced by Senators ALLEN and GILBERT and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 722 (MCL 257.722), as amended by 2002 PA 41.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

5 (a) If the axle spacing is 9 feet or more between axles, the
6 maximum axle load shall 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 not exceed
10 13,000 pounds for high pressure pneumatic or balloon tires.

11 (c) If the axles are spaced less than 3-1/2 feet apart, the

1 maximum axle load shall not exceed 9,000 pounds per axle.

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

4 (e) A vehicle used for pavement marking may exceed the normal
5 loading maximum provided by this subsection by not more than
6 20%. However, a vehicle used for pavement marking is not exempt
7 from the seasonal weight restrictions described in subsection
8 (6).

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

17 (3) On a legal combination of vehicles, only 1 tandem axle
18 assembly shall be permitted on the designated highways at the
19 gross permissible weight of 16,000 pounds per axle, if there is
20 no other axle within 9 feet of any axle of the assembly, and if
21 no other tandem axle assembly in the combination of vehicles
22 exceeds a gross weight of 13,000 pounds per axle. On a
23 combination of truck tractor and semitrailer having not more than
24 5 axles, 2 consecutive tandem axle assemblies shall be permitted
25 on the designated highways at a gross permissible weight of
26 16,000 pounds per axle, if there is no other axle within 9 feet
27 of any axle of the assembly.

1 (4) Notwithstanding subsection (3), on a combination of truck
2 tractor and semitrailer having not more than 5 axles, 2
3 consecutive sets of tandem axles may carry a gross permissible
4 weight of not to exceed 17,000 pounds on any axle of the tandem
5 axles if there is no other axle within 9 feet of any axle of the
6 tandem axles and if the first and last axles of the consecutive
7 sets of tandem axles are not less than 36 feet apart and the
8 gross vehicle weight does not exceed 80,000 pounds to pick up and
9 deliver agricultural commodities between the national truck
10 network or special designated highways and any other highway.
11 This subsection is not subject to the maximum axle loads of
12 subsections (1), (2), and (3). For purposes of this subsection,
13 a "tandem axle" means 2 axles spaced more than 40 inches but not
14 more than 96 inches apart or 2 axles spaced more than 3-1/2 feet
15 but less than 9 feet apart. This subsection does not apply
16 during that period when reduced maximum loads are in effect
17 ~~pursuant to~~ **under** subsection (7). This subsection does not
18 apply after December 31, 2006.

19 (5) The exception to the loading maximums and gross vehicle
20 weight requirements of subsection (11) under subsection (7) for a
21 person hauling agricultural commodities or a public utility
22 vehicle applies only if the person who picks up or delivers the
23 agricultural commodity either from a farm or to a farm or the
24 public utility notifies the county road commission for roads
25 under its authority not less than 48 hours before the pickup or
26 delivery of the time and location of the pickup or delivery. The
27 county road commission shall issue a permit to the person or the

1 public utility and charge a fee that does not exceed the
2 administrative costs incurred. The permit shall contain the
3 following:

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

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

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

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

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

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

1 street under the jurisdiction of a local road agency.

2 (8) The state transportation department for roads under its
3 jurisdiction and a county road commission for roads under its
4 jurisdiction may grant exemptions from seasonal weight
5 restrictions for milk on specified routes when requested in
6 writing. Approval or denial of a request for an exemption shall
7 be given by written notice to the applicant within 30 days after
8 the date of submission of the application. If a request is
9 denied, the written notice shall state the reason for denial and
10 alternate routes for which the permit may be issued. The
11 applicant ~~shall have~~ **has** the right to appeal to the state
12 transportation commission or the county road commission. These
13 exemptions ~~shall~~ **do** not apply on county roads in counties that
14 have negotiated agreements with milk haulers or haulers of other
15 commodities during periods of seasonal load limits before April
16 14, 1993. This subsection does not limit the ability of these
17 counties to continue to negotiate ~~such~~ **those** agreements.

18 (9) The state transportation department, or a local authority
19 with respect to highways under its jurisdiction, may ~~in its~~
20 ~~discretion~~ suspend the restrictions imposed by this section when
21 and where conditions of the highways or the public health,
22 safety, and welfare warrant suspension, and impose the restricted
23 loading requirements of this section on designated highways at
24 any other time that the conditions of the highway require.

25 (10) For the purpose of ~~enforcement of~~ **enforcing** this act,
26 the gross vehicle weight of a single vehicle and load or a
27 combination of vehicles and loads, shall be determined by

1 weighing individual axles or groups of axles, and the total
 2 weight on all the axles shall be the gross vehicle weight. In
 3 addition, the gross axle weight shall be determined by weighing
 4 individual axles or by weighing a group of axles and dividing the
 5 gross weight of the group of axles by the number of axles in the
 6 group. Pursuant to subsection (11), the overall gross weight on
 7 a group of 2 or more axles shall be determined by weighing
 8 individual axles or several axles, and the total weight of all
 9 the axles in the group shall be the overall gross weight of the
 10 group.

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

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

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

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

$$24 \quad W = 500 \quad \left(\frac{LN}{N-1} + 12N + 36 \right)$$

25 where W = overall gross weight on a group of 2 or more
 26 consecutive axles to the nearest 500 pounds, L = distance in feet

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1 between the extreme of a group of 2 or more consecutive axles,
2 and N = number of axles in the group under consideration; except
3 that 2 consecutive sets of tandem axles may carry a gross load of
4 34,000 pounds each if the first and last axles of the consecutive
5 sets of tandem axles are not less than 36 feet apart. The gross
6 vehicle weight shall not exceed 80,000 pounds including all
7 enforcement tolerances. Except for 5 axle truck tractor,
8 semitrailer combinations having 2 consecutive sets of tandem
9 axles, vehicles having a gross weight in excess of 80,000 pounds
10 or in excess of the vehicle gross weight determined by
11 application of the formula in this subsection ~~shall be~~ **are**
12 subject to the maximum axle loads ~~of~~ **set forth in** subsections
13 (1), (2), and (3). As used in this subsection, "tandem axle
14 weight" means the total weight transmitted to the road by 2 or
15 more consecutive axles, the centers of which may be included
16 between parallel transverse vertical planes spaced more than 40
17 inches but not more than 96 inches apart, extending across the
18 full width of the vehicle. Except as otherwise provided in this
19 section, vehicles transporting agricultural commodities shall
20 have weight load maximums as defined in this subsection.

21 (12) As used in this section, "agricultural commodities"
22 means those plants and animals useful to human beings produced by
23 agriculture and includes, but is not limited to, forages and sod
24 crops, grains and feed crops, field crops, dairy and dairy
25 products, poultry and poultry products, cervidae, livestock,
26 including breeding and grazing, equine, fish, and other
27 aquacultural products, bees and bee products, berries, herbs,

1 fruits, vegetables, flowers, seeds, grasses, nursery stock,
2 mushrooms, fertilizer, livestock bedding, farming equipment, and
3 fuel for agricultural use. The term "agricultural commodities"
4 ~~shall~~ **does** not include trees ~~and~~ **or** lumber.