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Senate Bill 640 (as passed by the Senate)
Sponsor: Senator Dale W. Zorn
Committee: Transportation and Infrastructure

Date Completed: 11-10-22

RATIONALE

The Michigan Vehicle Code reduces maximum vehicle weights in the months of March, April, and May to protect roadways while they are thawing after winter. However, the Code exempts some vehicles from the seasonal weight reductions for certain purposes, such as a public utility vehicle performing emergency public utility work (see **BACKGROUND**). Some people believe that wreckers and tow trucks also would benefit from a seasonal weight reduction exemption when performing certain services. Accordingly, it has been suggested that wreckers providing towing services to a disabled vehicle be exempt from the Code's season weight reductions.

CONTENT

The bill would amend the Michigan Vehicle Code to exempt a wrecker towing a disabled vehicle or traveling to or from the location of a disabled vehicle for the purpose of towing or servicing the disabled vehicle from seasonal reductions in maximum axle loads and certain gross vehicle weight requirements on interstate highways.

The Code prescribes maximum axle loads and gross vehicle weights for various configurations of vehicles. Except as otherwise provided, the maximum axle load may not exceed a designated number of pounds (known as the normal loading maximum) based on the distance between axles.

The Code reduces the maximum axle load allowable during the months of March, April, and May on concrete pavements by 25% and on all other types of roads by 35%. The Code also allows the Michigan Department of Transportation (MDOT), or a local authority with respect to highways under its jurisdiction, to designate an interstate highway or a section of an interstate highway for the operation of vehicles that have a gross vehicle weight of not more than 80,000 pounds and that are subject to the following load maximums:

- 20,000 pounds on any one axle, including all enforcement tolerances.
- A tandem axle weight of 34,000 pounds, including all enforcement tolerances.
- An overall gross weight on a group of two or more consecutive axles as determined by a formula prescribed in the Code.

Under the bill, the seasonal reduction and gross vehicle weight requirements described above would not apply to a wrecker towing a disabled vehicle or traveling to or from the location of a disabled vehicle for the purpose of towing or servicing the disabled vehicle. ("Wrecker" means a truck with a hoist, towing apparatus, or self-loading flatbed, or any combination of these items, permanently affixed to the truck, used to transport not more than two vehicles, except for a motor vehicle equipped with a fifth wheel or a motor vehicle that tows the second vehicle on a trailer.)

MCL 257.722

BACKGROUND

The Code prescribes weight limits for vehicles based on maximum axle load, which means the gross weight over the axle including vehicles and load. If a vehicle has nine feet or more of space between axles and is equipped with certain tires, the maximum axle load must not exceed 18,000 pounds. If a vehicle has between nine feet and three and a half feet of space between axles and is equipped with certain tires, the maximum axle load must not exceed 13,000 pounds. If a vehicle has less than three and a half feet of space between axles, the maximum axle load must not exceed 9,000 pounds per axle. The Code prescribes other weight limits for truck tractors and semitrailers that meet specified requirements.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

According to testimony before the Senate Committee on Transportation and Infrastructure, operators of wreckers and tow trucks have received citations and fines when trying to respond to requests for towing services during the months of March, April, and May. While maintaining the integrity of roadways during the spring season is important, these fines can cost operating companies significant amounts of money and prevent them from providing necessary services to customers. A balance between maintaining the integrity of roadways and the provision of operators' services must be struck. The bill would strike this balance by allowing operators to provide their services while requiring them to operate wreckers only when their towing services are needed.

Legislative Analyst: Tyler P. VanHuysse

FISCAL IMPACT

The bill would have a minor negative fiscal impact on MDOT and local governments that charge a fee for overweight permits. The number of wreckers that would need an overweight permit is not known. Data from the 2010s show that the number of registered wreckers in Michigan ranges between 150 and 250. Overweight permit fees for travel on the trunkline typically range between \$100 and \$191, depending on the length of time for which the permit will be valid, usually between one and two years.

The permitting system for the State's roads does not generate substantial revenue for the trunkline system for road and bridge repairs. The revenue that is generated for trunkline overweight permits is nominal and is designed to cover administrative costs for the permitting office. Restricted revenue dedicated to road and bridge construction and repair projects comes from gas taxes and registration fees.

In general, weight restrictions are intended to preserve the existing State and local road network. Heavier loads and increased pounds per square inch of tire on the roadway, over time, could increase roadway deterioration. The faster deterioration of roadways because of loosened weight restrictions would be an indirect cost to State and local governments.

Fiscal Analyst: Michael Siracuse

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.